

NEW YORK STATE SUPREME COURT
COUNTY OF NEW YORK-----X
DONALD LEWIS,*Plaintiff,**-against-*PIERCE BAINBRIDGE BECK PRICE & HECHT
LLP, JOHN MARK PIERCE, DENVER G. EDWARDS,
CAROLYNN K. BECK, LITTLER MENDELSON, P.C.,
SYLVIA JEANINE CONLEY, PUTNEY TWOMBLY
HALL & HIRSON LLP, MICHAEL YIM and JANE DOE,*Defendants.*
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Index No. 155686/2019

**FIRST AMENDED
COMPLAINT**

Plaintiff Donald Lewis, by and through his attorneys, The Law Offices of Neal Brickman, PC, alleges upon personal knowledge unless otherwise indicated, as follows:

INTRODUCTION

1. Plaintiff Donald Lewis (“Plaintiff” or “Lewis”) is a former partner of Defendant Pierce Bainbridge Beck Price & Hecht LLP (“PB” or “Pierce Bainbridge”).
2. As part of a concerted effort to cover-up illicit financial misconduct Defendants initiated a scorched earth war against Plaintiff relying on three weapons: dishonesty, deceit and defamation.
3. The financial misconduct, Defendants’ unlawful retaliation against Plaintiff for questioning the same, and the dishonest and dysfunctional culture at Pierce Bainbridge which allowed unlawful activity to flourish, are described in Plaintiff’s Complaint in Lewis v. Pierce Bainbridge Beck Price & Hecht LLP, et al., Supreme Court, New York County (Index No. 652931/2019) (the “Lewis Complaint”).¹ The Lewis Complaint is incorporated herein by reference.

¹ The Lewis Complaint was initially filed via NYSCEF at approximately 11:40 AM on May 15, 2019. Prior to the issuance of an index number and within two hours of that filing, acting in good-faith and in response to a

4. Pierce Bainbridge has attacked Plaintiff relentlessly, including without limitation: (i) exploiting false allegations of misconduct (the “False Allegations”); (ii) manufacturing a “credible” finding concerning the same; (iii) maliciously conspiring with the firm’s outside counsel to deceive Plaintiff, his counsel, the New York and Los Angeles State Courts (the “Withdrawal Stunt”); (iv) engaging in racist defamation including, *inter alia*, falsely labeling Plaintiff an “Extortionist,” “Terrorist,” “Credibly Accused Sexual Assaulter,” and an even more deranged term addressed below; and (v) publishing the defamatory statements on a massive nationwide scale.

5. The Pierce Bainbridge firm has demonstrated that it will stop at nothing to inflict as much damage on Plaintiff’s reputation, career, and well-being as possible, including submitting outright lies in court filings and publishing heinous and racist defamatory falsehoods to thousands, as well as his Harvard Law School classmates, including the remarkably depraved false labeling of Plaintiff as a “sex predator.”

6. Pierce Bainbridge’s longest tenured employee, Grace Chang (“Chang”), Director of Operations and Supervising Paralegal, is essentially the nerve center of the firm, as well as the firm’s most universally respected employee. In August 2018, when Chang was on the verge of quitting, the firm’s General Counsel Carolyn Beck (“Beck”) asked Plaintiff if he could speak with Chang.

7. During the call, on August 27, Chang exclaimed loudly about Pierce: “I hope you know he has a drinking problem. I’m tired of this. **He’s an alcoholic and a drug addict.**” Lewis reported the same to Beck and Co-Managing Partner Bainbridge, who said they already knew, and he also spoke with Pierce Bainbridge partner Christopher LaVigne (“LaVigne”) who was understandably not surprised.

request by counsel for Pierce Bainbridge, counsel for Lewis contacted the County Clerk of New York County Supreme Court and requested that the filing be withdrawn and deleted from the electronic filing system. Thereafter, following Pierce Bainbridge’s filing of the LAC, on May 16, 2019, the Lewis Complaint was re-filed and was issued Index No. 652931/2019.

8. Substance abuse, and a desperate desire to cover-up his illicit financial activity may begin to shed light on the craven and inhumane attack that Pierce has spearheaded against attorney Lewis.

9. Indicative of the troubled and paranoid world that is Pierce's daily reality, Pierce has tried anything in his power to first silence Plaintiff (demonization, threats, intimidation, bribes, more threats), and when that failed - petrified of the Lewis Complaint's imminent revelation to the world of the phony that is John Pierce - the Pierce Bainbridge Managing Partner snapped and engaged in deceitful tactics to unspeakably defame Lewis on a massive public scale.

10. Indeed, based on nothing more than unsubstantiated False Allegations and a demonstrable sham of an investigation with gross factual and procedural flaws – that former NYPD detectives almost immediately said was incredibly dubious – Pierce took to LinkedIn and continued a borderline criminal national smear campaign.

11. Pierce has 30,000 connections, many of them mutual Harvard Law School Classmates of Lewis and Pierce, and the Pierce Bainbridge Partner essentially announced to them all, pursuant to New York Penal Law, that Plaintiff is “a sex offender who has been convicted of a sexually violent offense defined in subdivision three of this section and who suffers from a mental abnormality or personality disorder that makes him or her likely to engage in predatory sexually violent offenses.”

12. Pierce's deranged post needs to be seen to be believed. Here is the content.

Now I know how POTUS feels dealing with fake news!! I am disappointed in you [Meghan Tribe](#) at [Bloomberg BNA](#). The headline and substance of your article is totally misleading and just incorrect. You should retract. This is very bad journalism. [Pierce Bainbridge](#) and [Pravati Capital LLC](#) enjoyed a wonderful and productive relationship. They helped us grow and received a handsome return in exchange. I would highly recommend them to any law firm or claimant in the world. The investment was closed out in the ordinary course of business, and [Pierce Bainbridge](#) maintains a great relationship with not only Pravati, but also with additional global litigation funders with billions of dollars of capital. The specifics of these relationships are confidential,

Meghan Tribe -- and this transition has nothing to do with the transparent extortion plot brazenly launched by a disgruntled former partner who contributed effectively nothing to the firm and is a **credibly accused sex predator**. I like you, and you usually do good work. But this is totally incorrect and you should retract immediately. [hashtag#fakenewshashtag#clickbait](#) -- John Pierce, Pierce Bainbridge

13. Pierce has tried to demonize Plaintiff to the world, just as he demonized Plaintiff to Pierce Bainbridge personnel, hoping that by doing so he would undermine Plaintiff's credibility. Indeed, just one minute after Pierce blindsided Plaintiff with the False Allegations, he e-mailed the entire partnership, labeled Plaintiff a "sexual assaulter" and banned the entire firm from ever communicating with Plaintiff again.

14. Pierce hoped to once again marginalize Plaintiff before he could be heard, and included in the sham LA complaint heinous details about the False Allegations that were never previously shared with Plaintiff – including mention of an "engorged penis" – and then went to tell a battery of bold-faced lies about Plaintiff to the public hitting an apex with the "sex predator" insanity when Pierce felt the walls closing in.

15. While the outside world was slowly but surely starting to see through Pierce's lies, there were certain less discerning individuals, likely blinded by money and motivated by the false appearance of "contributing" to their respective partnerships, who remained full-fledged members of Team Pierce even in light of his reprehensible and despicable misconduct. These individuals are Sylvia Jeanine Conley ("Conley"), a partner at Littler Mendelson P.C. (the "Littler Firm"), Michael Yim ("Yim"), a partner at Putney, Twombly, Hall & Hirson LLP ("Putney Twombly") and Pierce Bainbridge General Counsel Carolynn K. Beck ("Beck"), who knows exactly who Pierce is, yet clearly falls into the "less discerning" category. As Pierce himself has opined about Beck: "Her mind moves at the speed of pond water."

16. Substance abuse, however, does not explain the concerted depraved behavior of Beck,

Conley and Yim and their direct and malicious participation in the nationwide assault on Plaintiff.

17. To be crystal clear, but for the shenanigans, foul play, deceitful and unethical conduct of Yim, but for the shenanigans, foul play, deceitful and unethical conduct of Conley, but for the shenanigans, foul play, deceitful and unethical conduct of Beck, none of this happens and Pierce is shut down and potentially confined.

18. And, of course, we cannot forget Pierce's Number One Pawn: Denver G. Edwards ("Edwards"). The same Edwards who in his own LAC filing, essentially judicially admits that in his opinion, John Mark Pierce is a "criminal."

19. Edwards has drunk the Pierce Kool-Aid and put his law license and career in massive jeopardy. Edwards lied egregiously in a court filing, was informed of his lies in crystal clear fashion, lies about issues of which he had first-hand knowledge but pursued the claims anyway. In similar situations, **without malice**, attorneys have had their licenses suspended and/or have been disbarred.

20. Yet, Edwards, who PB Partner Lavigne noted, "Pierce picked for obvious reasons," continues to essentially sell his services out and put himself and his career in serious harm's way to maintain a comfortable seat in the Pierce Bainbridge house, with a substance abusing, misogynistic liar, who has \$1.5 million in tax liens, is regularly late on his \$21,000/monthly alimony payments and will dive head first into the gutter to avoid being revealed to the world as a two-bit con man who squandered a world of opportunity at the bottom of a bottle.

21. Conley provided critical support with the "Withdrawal Stunt" (outlined below in ¶¶90-115), which aided, abetted and facilitated the defamation of Plaintiff. The stunt was a three-person operation: Conley, Pierce and Edwards. It was premediated, orchestrated and deceitful and paved the way for Edwards's preemptive sham complaint with outright lies in virtually every paragraph.

22. Conley then, indicative of her malice, and apparent lack of competence, filed a frivolous motion to dismiss the Lewis Complaint, where she applied to wrong state law to an issue which PB

Partner Chris LaVigne repeatedly told Lewis was of critical importance to her clients, and in which she launched plethora of inappropriate and unprofessional *ad hominem* attacks at Plaintiff.

23. Indeed, Conley, and her co-counsel Mukasey, Sklaroff & Frenchmen LLP (the “Mukasey Firm”), applied New York, rather than California law, to Plaintiff’s fiduciary duty claims. The individual PB partner defendants should now understand – which based on Lewis’s conversations with LaVigne they clearly had not – that they have very real exposure for egregiously violating their fiduciary duties in order to cover-up Pierce’s financial malfeasance and ensure their paychecks kept coming in. At bottom, each of Plaintiff’s former partners put a “for sale” sign on their integrity and human decency.

24. It is also worth noting that Conley’s inexplicable complete avoidance of Plaintiff’s status as a partner – when, *inter alia*, Pierce Bainbridge own LAC defines him as a “partner” – is likely because she is fully aware that, as a result of Plaintiff’s illegal expulsion, liability on that claim is a foregone conclusion.

25. Yim is no better than Conley as he was fully immersed for several months in the concerted scheme to defame. At his friend Beck’s direction, Yim proffered an absurd “credible” finding concerning the False Allegations, which aided, abetted and facilitated the defamation of Plaintiff. Yim had a chance to back-out, to show a shred of integrity, to save himself and his firm further embarrassment and exposure, however, in the Putney Twombly motion to dismiss, Yim and Putney Twombly firm stood by the bogus “credible finding”.

26. Remarkably, this purported “credible” finding was shared with Plaintiff for the first time as it was shared with the rest of the world, which was immediately used by Pierce Bainbridge as a springboard to defame Plaintiff – “**credibly** accused sexual assaulter” and “**credibly** accused sex predator.” Even more egregiously, Yim, Putney Twombly, Beck and Pierce Bainbridge have embarrassingly tried to defend this indefensible conduct. Their dishonest, hypocritical and malicious ways are evidenced by a complaint recently filed and signed by Beck herself which *complains* about a

“sham investigation” where the investigator: **“refused to provide [Pierce Bainbridge’s client] with the Investigator’s report or any details regarding the investigation.”** (*Newton v. LVMH*, Supreme Court, New York County (Index No. 154178/2019), Para. 66 (emphasis supplied)).

27. Former NYPD detectives have reviewed the so-called investigation, concluded it was a nullity, highly dubious and exculpatory information inexplicably ignored, underscoring the pure fiction of the False Allegations and exposing the concerted scheme.

28. Beck, Conley and Yim are well aware of Pierce’s continued abuse of Plaintiff, yet rather than take corrective ethical action, they have focused on aiding, abetting and facilitating the pathologically misguided Pierce Bainbridge war against Plaintiff including the Littler Firm’s frivolous motion practice.

29. Conley’s insistence on riding with, and actively supporting and encouraging the morally bankrupt Pierce, has won her and her partners, and her co-counsel, the Mukasey Firm, a motion for sanctions in connection with the Lewis Complaint and, herself personally, as well as the Littler Firm, and massive exposure for the claims asserted in this Amended Complaint. Oddly, appears that receiving monetary sanctions for frivolous filings is not out of the ordinary for the Littler Firm. (See attached Exhibit B.)

30. Defendants’ concerted effort to defame Plaintiff was orchestrated to cushion the imminent blow of the Lewis Complaint’s exposure of the financial improprieties, misogyny,² discrimination, and unethical conduct at Pierce Bainbridge.

31. In any event, the Lewis Complaint tells it like it is: Pierce Bainbridge is a teetering financial house of cards – a smoke and mirrors production. The firm’s efforts to mislead the public about

² Pierce lacks basic decency as illustrated by the representative sample of misogynistic statements attached as Exhibit A. This bears on the issues of punitive damages and Pierce’s ability to engage in such despicable defamatory misconduct.

this reality was evident in its post-filing public statements about Pravati Capital LLC (“Pravati”), a relationship which Pierce Bainbridge had already begun to lie about in the LAC. For example, Edwards, in one of his deluge of outright lies, suggested the relationship was confidential and that mentioning the funder’s name Plaintiff had somehow harmed PB – Edwards is either a liar or ignorant about very basic items concerning his firm; the Pravati and PB relationship had been public since March 2017 and Pierce Bainbridge’s own website had articles about the same..

32. Furthermore, because Pierce Bainbridge defamed Plaintiff in every article about Pravati, Plaintiff decided to investigate and, unsurprisingly, Pierce Bainbridge lied in those articles as well. The reality is that **Pierce Bainbridge “defaulted” on the Pravati funding agreement to the tune of “\$9,157,072.95.”**

33. At bottom, the sham LAC is classic Pierce Bainbridge, it is symbolic of the way the firm operates and how known “cheats” like Co-Managing partners Pierce and Bainbridge prefer to conduct business. It is based almost entirely on misrepresentations, fabrications, fictional musings, fairy tales, delusions and outright lies; the LAC warrants severe discipline because it was executed, filed and served by Edwards notwithstanding critical allegations contradicted by his own e-mails from just days or months earlier.³ It appears that Edwards believes, like Pierce, that the Rules of Professional Conduct do not apply to him.⁴

34. This cavalier attitude appears to be a Pierce Bainbridge hallmark. As detailed below, the Managing Partner of the New York Office, David Hecht, recently bragged publicly about a federal court

³ The LAC is precisely the type of sham pleading that is not afforded the litigation privilege. See *Thomas v. G2 FMV, LLC*, 147 AD3d 700 (1st Dept 2017) (defamatory statements were contained in ‘a sham action,’ and “defendants [were not] entitled to the protection of the absolute judicial privilege”). This action responds to the LAC and subsequent defamation, issues not addressed in the Lewis Complaint, hence this separate action.

⁴ A chart containing over 45 rows of brazenly false statements in the sham Los Angeles Complaint (the “LAC”) is attached as Exhibit C (the “LAC Chart”). The chart is incorporated herein by reference. In addition, a copy of frivolous pleading related letter that Lewis sent to Edwards on July 23, whereby Lewis graciously advised Edwards his potential legal exposure potentially up to and including disbarment is attached as Exhibit D.

holding that Hecht engaged in “trickery” and violated Rule 8.4. covering “attorney deceit.”

35. Jane Doe is the Pierce Bainbridge employee to whom the False Allegations are attributed (the “False Accuser”) and is named herein as a party-defendant for discovery purposes because of her unique knowledge about the False Allegations. Given the intimate personal details unnecessarily shared in the LAC, it appears that Pierce Bainbridge is exploiting this young woman and exploiting the #MeToo movement to the detriment of a serious cause and real victims, and to futilely attempt a cover up for Pierce.⁵

36. Indeed, it also odd that the False Accuser would allow Pierce and Edwards to plead the allegations about the need for secrecy of her two names when she was well aware that both names appear in her on-line postings on Twitter and Couchsurfing.com for the world to see.

37. In the event that during discovery the False Accuser’s complicity in the cover-up scheme is revealed, the Complaint will be amended accordingly.

38. Defendants’ scheme was not a single poor faith event, but a calculated and choreographed attack and media play, and consisted of misconduct that may warrant more than civil liability. Defendants’ intention was that the LAC defamatory statements would be re-published, which is exactly what happened, and on a massive public scale. Plaintiff has been defamed in legal industry publications, including without limitation, *Above the Law*, *New York Law Journal*, *American Lawyer*, *Big Business Law* and *ABA Journal*.

39. If there were a Defamation Hall of Shame, the Pierce Bainbridge quote that appeared in the *Above the Law*⁶ after the Complaint was filed would be a first-ballot unanimous entrant. An

⁵ Plaintiff intends to seek discovery from the False Accuser including without limitation: (i) the purported “unlicensed arranged marriage” (LAC ¶ 25); (ii) the origins and nature of her relationship with David Hecht; (iii) the False Accuser’s **deleted** Twitter, **deleted** Facebook, **deleted** Quora and **deleted** Couchsurfing.com accounts, all of which deletions were done after the investigation started and constitute spoliation.

⁶See, *Well This Lawsuit Between Two Harvard Law Grads*, <https://abovethelaw.com/2019/05/well-this-lawsuit-between-two-harvard-law-grads-is-proceeding-in-the-most-hls-way-possible/>, Elie Mystal, *Above the Law*, May 20, 2019

annotation is illuminating. For ease of reference, the defamatory statements are broken out of the running, otherwise uninterrupted, quote:

Pierce False Statement. “*The [Lewis Complaint] was filled with pages and pages of manufactured allegations. . .*”

Lewis True Statement. Pierce Bainbridge is yet to identify a specific defamatory statement in Lewis’ 96-page Complaint.

Pierce False Statement. “. . . *that have nothing to do with his supposed underlying claims.*”

Lewis True Statement. All of the allegations are relevant, Pierce again fails to offer specifics, it enables him to lie, dupe and defame with impunity.

Pierce False Statement. “. . . *and were included only for the purpose of threatening to embarrass the firm.*”

Lewis True Statement. The claims are legitimate and liability is a foregone conclusion for violation of the California Partnership Act; while certain of the allegations may be embarrassing to Pierce, almost all of them are premised on his conduct and that of his sidekick Lauren Schafer-Green.

Pierce False Statement. “*The complaint demanded \$65 million in damages, and Lewis demanded several million dollars in exchange for not filing it.*”

Lewis True Statement. This is false and based on the lies of Conley, Pierce and Edwards. Plaintiff requested a good faith showing of a seven-figure offer to commence a mediation already scheduled and mediator chosen.

Pierce False Statement. “*We participated in early-stage talks . . .*”

Lewis True Statement. We were in negotiations until the day it was filed.

Pierce False Statement. “. . . *with his attorney in an effort to settle for nuisance value.*”

Lewis True Statement. From Day 1 the conversation was in the 7-figure range.

40. Plaintiff has cut the exercise short, because it is tedious and hard work keeping up with Pierce’s lies. There are around five more falsehoods -- **a total of around ten (10) false and defamatory statements in one media quote.** That volume of lies is impressive even for a professional like Pierce.

41. The Pierce Bainbridge culture enabling this type of dishonesty and defamation to flourish starts at the top. Co-Managing Partner Bainbridge’s most prominent legal “accomplishment” in almost 50 years is seemingly starring in a Federal Trade Commission Complaint as a “ringleader” involving an

alleged \$80 million scheme to defraud the consuming public.⁷

42. It appears that the poisonous Pierce Bainbridge culture has contaminated certain of its legal representatives; to be fair, however, based on the Littler Firm's history of monetary sanctions, Conley may not have needed much of a push.

43. When he feared Lewis would expose his illicit financial activity, Pierce concocted False Allegations against Lewis and went on to call him a "sex predator" to a massive audience including Lewis's Harvard Law school classmates. Those are not the actions of a professional of sound mind, a person with a shred of human decency or an individual fit to practice law.

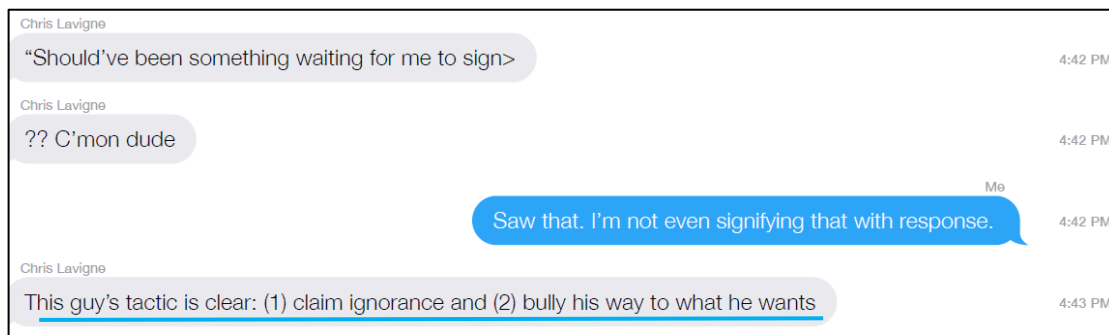
44. Incredibly, weeks after Pierce's deranged posts, Conley and Yim took affirmative steps in furtherance of their on-going contribution actively to the depraved assault on Plaintiff and consciously chose to remain by the side of to the serial liar, misogynist, alcoholic and apparent "drug addict.

45. Along with Beck, Conley and Yim have aided and abetted the misconduct, and played key roles in the concerted effort to defame Plaintiff on a massive media-driven public scale, which has included deceiving the New York and California State Courts.

46. According to Pierce Bainbridge partner LaVigne, his partners Amman Khan, Andrew Lorin, Caroline Polisi, Conor McDonough, Craig Bolton, Doug Curran, Eric Creizman, Jonathan Sorkowitz, Melissa Madrigal, Patrick Bradford, Mike Pomerantz are "afraid of Pierce." **Pomerantz** must be particularly frightened because he actually "liked" the depraved "sex predator" post.

⁷ Pierce claimed Lewis somehow mischaracterized the \$80 million consumer scheme involving Pierce's Co-Managing Partner Bainbridge. Other than his inherent dishonesty, the source of Pierce's displeasure is unclear, Lewis summarized items from the Federal Trade Commission. Perhaps Pierce Bainbridge prefers a contemporaneous news report's take: "A Henderson-based telemarketing group [led by Bainbridge and Fingarette] charged with **cheating** consumers out of hundreds of dollars each in exchange for useless awards **has agreed to repay consumers \$11.3 million, the Federal Trade Commission said.**" (Emphasis added.) See, Henderson Firm Must Pay Consumers, <https://lasvegassun.com/news/1996/mar/19/henderson-firm-must-pay-consumers/>, Las Vegas Sun, March 19, 1996.

47. Pierce is a flawed “bully” who lacks any personal “accountability.” A communication between Lewis and LaVigne captures this well. The context is Pierce had tried to shift blame on an issue in such a laughable manner that LaVigne said “c’mon dude” and the rest flows from there:



48. LaVigne nailed it with the “bully.” Pierce rules by fear. He litigates by lying. Smears, defames, threatens, violates rules as if they do not exist. He frequently bloviated in the office that “I’m the most loyal guy in the world, until you fu*k with me” and “I’m the worst enemy you can ever have.”

49. The Pierce Bainbridge firm and the individual Defendants have joined Team Pierce with reckless abandon, they have lied in court papers, submitted frivolous motions, and signed off on a credible finding that former NYPD detectives find to be remarkably dubious.

50. This Amended Complaint will make the following “tracker” below clear. On the one hand there is Team Pierce and his minions Edwards, Conley, Yim and Beck; on the other hand, is Team Lewis, fighting to save his reputation faced with a tsunami of a defamatory smear campaign from Team Pierce. Lewis has said three things all along: (1) the allegations against him are an outright lie, pure fiction, made up out of whole cloth, created or exploited by Piece to cover-up his financial misconduct, (2) the truth always rises to the top and (3) credibility is king.

51. Lewis vs. Pierce Bainbridge:

“Credibility, Honesty & Truth Tracker”

STATEMENT	TRUE OR FALSE
Lewis is an Extortionist	False
Lewis is a Terrorist	False
Lewis is a Sexual Assaulter	False
Lewis is a Sex Predator	False
Lewis Complaint “Defamatory”	False
PB “Paid Down” Pravati Monthly	False
Pierce has \$1.5 Million Tax Liens	True
Pierce owes \$21K/Month Alimony	True
Pierce uses firm funds to pay Alimony	True
Pierce unethically Gifts Clients	True
PB LA Complaint “Defamatory”	True
PB \$9.1 Million “Default” to Pravati	True

52. Plaintiff’s career, reputation and life have been immensely and irreparably damaged as a result of Defendants’ concerted misconduct. As a result, this Amended Complaint seeks recompense for Defamation Per Se, Intentional Infliction of Emotional Distress, Aiding & Abetting and Violation of Judiciary Law 487. Plaintiff seeks \$15 million in compensatory damages and \$30 million in punitive damages.

**STATEMENT OF FACTS
THE PARTIES**

52. Plaintiff is an individual residing in the State of New York. Plaintiff is an attorney licensed and authorized to practice in the State of New York, and was a partner working in PB’s New York City office until November of 2018.

53. Defendant Pierce is an attorney licensed and authorized to practice in the State of California. Pierce was once an attorney in good standing in the State of New York but is now **“resigned”** from the practice of law in this State. Pierce is the founder of PB and was, at all relevant times, the Managing Partner of PB.

54. Defendant Edwards is an attorney licensed and authorized to practice in the State of California and State of New York. At all relevant times, Edwards was a Partner at PB. Edwards was recently appointed to the Board of Trustees at Middlebury College. Edwards executed and filed the LAC which is replete with demonstrable falsehoods of which Edwards had first-hand contradictory knowledge.

55. Defendant Beck is an individual who is an attorney licensed and authorized to practice in the State of Virginia and the State of California. At all relevant times, Beck was Co-Managing Partner of the D.C. office, General Counsel and a General Partner of PB.

56. Defendant PB is a limited liability partnership organized under the laws of the State of California. PB is a registered foreign limited liability partnership under the laws of the State of New York and maintains offices in the City, County and State of New York. Notwithstanding its formation under California law, PB's largest presence is in New York City.

57. The "Pierce Bainbridge Defendants" include Pierce, Edwards and Beck.

58. Defendant Putney, Twombly, Hall & Hirson LLP ("Putney"), is a limited liability partnership organized under the laws of the State of New York, and maintains offices in the City, County and State of New York.

59. Defendant Yim is an individual who is an attorney licensed and authorized to practice law in the State of New York. At all relevant times, Yim was a partner of Putney Twombly.

60. Defendant Littler Robinson, P.C. ("Littler"), is a limited liability partnership organized under the laws of the State of New York, and maintains offices in the City, County and State of New York.

61. Defendant Conley is an individual who is an attorney licensed and authorized to practice law in the State of New York and State of Pennsylvania. At all relevant times, Conley was a partner of Littler.

JURISDICTION AND VENUE

62. Jurisdiction and venue are proper in this Court because Plaintiff resides in New York County; Plaintiff suffered damages in New York County from Defendants' wrongdoing; Defendant PB maintains offices and transacts business in New York County; the claims asserted herein arose in New York County; and the Plaintiff seeks damages in excess of this Court's jurisdictional minimum.

THE DYSFUNCTIONAL AND DISHONEST PIERCE BAINBRIDGE CULTURE

New York Office Managing Partner David L. Hecht Scoffs at a Federal Judge and the Rules of Professional Conduct

63. Managing Partner Pierce has opined to the firm on several occasion that the Rules of Professional Conduct are essentially not to be taken seriously. New York Office Managing Partner, David Hecht, follows Pierce dogmatically, and has embraced dishonesty as a tool. For example, Hecht's firm bio refers to him as "**a titan** in the field of intellectual property." Hecht has never first-chaired a meaningful trial victory, he may not have even second-chaired one, and Hecht may be "best known" for the frivolous Fortnite "dance move" cases.

64. As one article colorfully concluded:

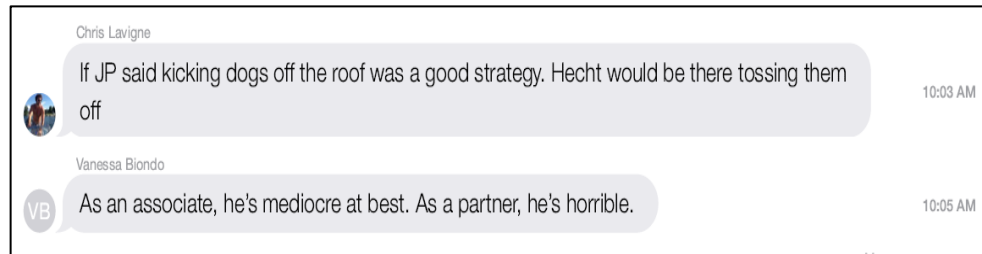
"Despite its 100% failure rate in Fortnite lawsuits, Pierce Bainbridge is still finding plaintiffs willing to ensure its partners keep collecting paychecks. And isn't that the greatest victory of all?"⁸

Another lawyer has opined in a court filing that Pierce Bainbridge has paid off around 20 plaintiffs to

⁸ See, *New York Saxophonist Latest to Sue Fortnite Developers For Supposedly Ripping Off His... 'Likeness'*, <https://www.techdirt.com/blog/?company=pierce+bainbridge>, Tim Cushing, May 1, 2019, Techdirt. This is one of several media links in the Amended Complaint. The links have been included to display the consistent, widespread and unwavering deception and deceit that is part of the fabric of the Pierce Bainbridge firm culture. It is relevant to understanding the nature of the firm and individuals who have engaged in such heinous and reprehensible defamation here.

participate in these frivolous lawsuits.⁹

65. An exchange between two firm partners on September 13, 2019, is a representative illustration of both the dishonesty and the dogmatism:



66. Illustratively, on April 11, 2019, the Honorable Alvin K. Hellerstein of the United States District Court for the Southern District of New York, in denying a motion for disqualification, nevertheless found that Pierce Bainbridge, via David Hecht, violated Rule 8.4 (involving dishonesty, deceit and misrepresentation). Hecht secretly recorded an adversary which the federal court opined “smack[s] of trickery.”

67. The New York Office Managing Partner posted on LinkedIn thereafter, which has to be seen to be believed. (Plaintiff does not know the Harvard Law School graduate who commented.)

David Hecht

• 3rd+

NY Office Managing Partner | Co-Head of the IP Group - Pierce Bainbridge

There are two ways to litigate: litigate: (1) Focus on churning out billable hours rather than strategy, like my adversaries at **JONES DAY®** in the **Xiaomi Technology** case, or (2) The **Pierce Bainbridge** approach: aggressively advocating for clients in an efficient, cost-effective manner. We play to win, not to bill. We don't file frivolous motions. We don't make misrepresentations to courts. Instead, we think twenty moves ahead, like grandmasters in chess, with the goal of a checkmate. **JONES DAY®** fell flat on its face in its DQ motion because they didn't even look at the chess board.

⁹ Chasan alleged in the Eastern District of Pennsylvania that Pierce derailed an alleged settlement with Chasan so Pierce Bainbridge could fund other cases against video game makers. “So, it appears that the 160,000 set aside for the settlement with plaintiffs in September 2018 is instead being used by PBBPH Law as seed money to pay numerous 20-something video game players to launch and accelerate a cottage industry of multiple lawsuits against the video game industry,” Chasan’s filing said. *Plaintiffs Lawyer Claims Pierce Bainbridge Kept Settlement Funds to Fuel Video Game Suits*, <https://www.law.com/thelegalintelligencer/2019/02/11/plaintiffs-lawyer-claims-pierce-bainbridge-kept-settlement-funds-to-fuel-video-game-suits/>, Lizzie McLellan, The Legal Intelligencer, February 19, 2019.

Instead, they exposed their own client (and themselves) to ridicule and embarrassment with their motion practice and by creating a dispute that opened the door to jurisdictional discovery. We would never let that happen to one of our clients!

Robert Tauler Trial Lawyer and Expert on False Advertising of Nutritional Supplements

There is really no need to take shots at other law firms. It makes you look childish and unprofessional and quite frankly makes the whole profession look bad. I know you are happy you were not disqualified from this case, but schoolyard stuff like this is why no one wants to be lawyer. Grow up.

68. Pierce and partner Amman Khan “liked” the post.

THE \$9.1 MILLION PRAVATI DEFAULT

Pierce Bainbridge Was Dishonest with the Media About Pravati to Defame Plaintiff

69. Pierce has made a battery of false public statements about the firm’s relationship with Pravati, each accompanied by a false and defamatory missive about Plaintiff.¹⁰

70. According to UCC liens -- documents indicating a loan has been made -- PB Partners LaVigne, Caroline Polisi (“Polisi”), Edwards and Eric Creizman (“Creizman”) knew Pierce was lying, yet, as always, fell in line and condoned the same. Contrary to Pierce’s false rosy picture, the four partners, LaVigne, Polisi, Edwards and Creizman appear to have agreed -- on March 9, 2019 -- to securitize, a “**\$9,157,072.95**” Pierce Bainbridge “**default**” on the **Pravati “funding agreement.”** in their personal/individual capacities¹¹ (the “\$9.1 Million Pravati Default”) (Copies of the UCC Filings are attached as Exhibit E).

¹⁰ There is one media outlet that has commendably exposed the truth about the Pierce Bainbridge and Pravati relationship subsequent to Pierce’s public misrepresentations. *Former Partner Donald Lewis Alleged Corruption and Cover-Up at Pierce Bainbridge*, <https://legaldesire.com/former-partner-donald-lewis-alleges-corruption-and-cover-up-at-pierce-bainbridge/>, Anuj Kumar, Legal Desire, July 1, 2019. Litigation financing is a burgeoning field and abuse should be highlighted so it can be avoided in the future; the Pierce abuse is a by-product of the individual (Pierce) not the industry (litigation finance).

¹¹ It is odd that Creizman is willing and capable of taking on a \$9.1 million personal obligation. According to public records, Creizman has almost \$1,000,000 in tax liens.

71. **Pravati Falsehood # 1.** “[T]he firm paid down that debt regularly over the course of many months.” – John Pierce, *Pierce Bainbridge Ends Relationship with Partner Pravati, Sam Reisman, Law360, May 17, 2019*. Pierce falsely stated that the Lewis Complaint is “frivolous and defamatory.” The claim that Pierce Bainbridge “paid down [the Pravati] debt regularly over the course of many months” is highly dubious; it begs the **Question**: If one is making meaningful monthly payments, how exactly does one end up with a \$9.1 million default in just two years?

72. **Pravati Falsehood #2.** “[The Pravati] investment was closed out in the ordinary course of business.” – John Pierce, *Lit Funder Pravati and Pierce Bainbridge End Partnership, Meghan Tribe, Bloomberg Law, May 17, 2019*). Pierce included the false and defamatory statement that Plaintiff engaged in “outright extortion.” but this an “outright” lie. Pierce also opined: “The notion that [Pravati] could have been hoodwinked into making a bad investment is nonsense.” This is also a headscratcher; it begs the **Question**: Did Pravati enter the relationship expecting to have to call a \$9.1 Million default and have Pierce scramble to take on more debt, presumably at debilitating interest rates, in order to pay them back?

73. **Pravati Falsehood # 3.** “[Pierce Bainbridge] loves making millions of dollars for the amazing litigation funders we have worked with and we always will.” – *Pierce’s LinkedIn page, May 17, 2019*. Pierce defamed Plaintiff stating: “We will NOT negotiate with terrorists, we will NOT be extorted, we are NEVER stopping.” (Underline emphasis added; All Caps in original) This was republished in the media, including Pierce’s racist brainchild – “Terrorist.” The only funder Pierce Bainbridge has done material business with is Pravati, and that ended in the \$9.1 Million Pravati Default. The “amazing litigation funders” and “making millions of dollars” are figments of Pierce’s imagination.

74. **Pierce Pravati Falsehood #4.** “Now I know the POTUS feels dealing with the fake news.” -- *Pierce’s LinkedIn page, attacking a reporter Meghan Tribe’s coverage of the Pravati issue, May 17, 2019*). Pierce’s related posting can comfortably be categorized as grossly aberrant behavior.

Pierce, who appears to have been losing control, referred to Plaintiff's "transparent extortion plot" and as a "credibly accused sex predator." This post was available to Pierce's 30,000 LinkedIn connections including many of Plaintiff's law school classmates.

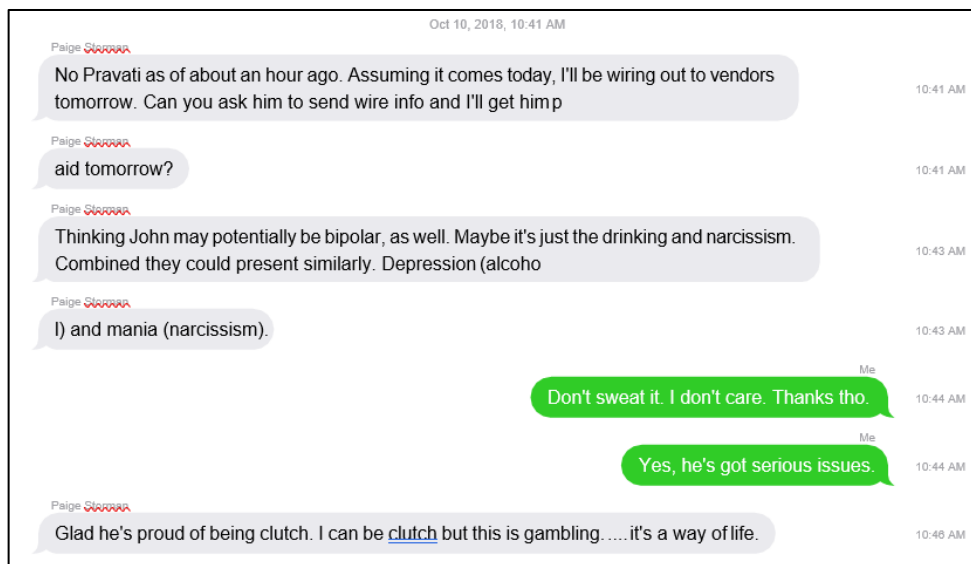
75. Although Pierce claimed PB was making "millions of dollars" for the firm's "amazing litigation funders," Pravati somehow got stuck with the \$9.1 Million Pravati Default. In addition, Pierce Bainbridge was failing to pay debts as they became due, the bookkeeper was not being timely compensated, payroll was almost missed, creditors were calling daily looking to get paid, Pierce failed to make guaranteed partner distributions in December, promised to make it up in January and failed again in January.

76. Yet Pierce claims fictitious, imaginary, magical funders were getting "millions of dollars" from Pierce Bainbridge. Because Pierce Bainbridge purports to have "cracked the code of the digital legal age," Plaintiff provides the "digital age" response of: "Cool Story, Bro."

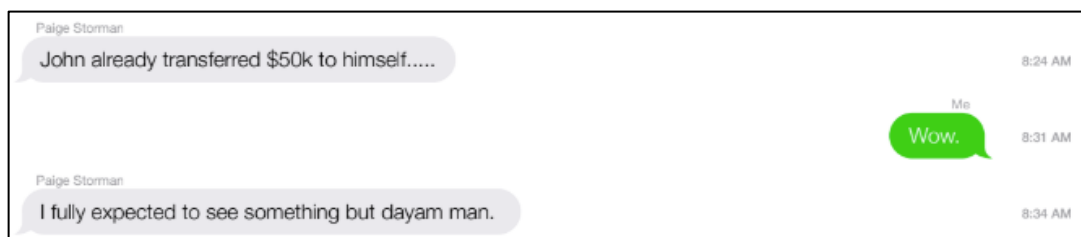
77. This **\$9.1 Million Pravati Default** seems to be at direct odds with the firm's deceptive self-aggrandizement as highlighted in a message from Pierce to a former client. "Elite litigators" win cases which is apparently something Pierce Bainbridge has been largely unable to do; "elite litigators" also communicate with their clients in a markedly more professional manner.

78. Meanwhile, the Pravati money arrived on the last possible day to make payroll. Pierce claims firm-wide that he's "clutch," but conveniently failed to disclose that he immediately took out \$50,000. The bookkeeper expressed concerns about Pierce's recklessness and offered commentary germane to the defamatory falsehoods in the LAC.

*October 10 – Bookkeeper noting vendors on hold,
Pierce alcoholism and reckless handling of firm funds*



*October 11- Bookkeeper Noting the Pierce Already Absconded
with \$50,000 of the just received Pravati Funds.
Plaintiff banished forever the next day.*



79. The fact of the matter is that PB does not “make[] millions of dollars” for its “amazing litigation funders.” Indeed, it appears Pierce Bainbridge is using the same garden-variety tactics of underproducing business since the Paleozoic era: take on more debt to cover old debt, with the number of musical debt chairs decreasing with each new loan.

80. Pierce is not only “gambling” with the firm’s money, he is gambling with the lives of the people who trusted him. As LaVigne knows full well, after Pierce missed an important 9:00 a.m. funding meeting because Pierce was still drunk from Monday night, Lewis sent Pierce a stern message noting people’s “lives and livelihoods” were “in his hands” and Pierce needed to get his act together.

81. In any event, a quick review of the New York State UCC lien page for Pierce Bainbridge

(excluding individual partner liens) paints a different picture from the public deception being peddled by Pierce Bainbridge, as is clear from the screenshot below, which exposes six (6) different loans taken out by Pierce Bainbridge slightly before, and shortly after, the \$9.1 Million Pravati Default:

Back View First Page(s)						
1.	Debtor Name:	PIERCE BAINBRIDGE BECK PRICE & HECHT LLP		600 WILLSHIRE BLVD AVE STE 500, LOS ANGELES, CA 90017, USA		
	Secured Party Name:	PIERCE, JOHN MARK		10811 WILLOWBRAE AVE, CHATSWORTH, CA 91311, USA		
	Secured Party Name:	STEELSTONE LLC		1274 49TH ST STE 455, BROOKLYN, NY 11219, USA		
	File no.	File Date	Lapse Date	Filing Type	Pages	Image
	201903055275748	03/05/2019	03/05/2024	Financing Statement	1	View
	201903285389800	03/28/2019	03/05/2024	Termination	1	View
2.	Debtor Name:	PIERCE BAINBRIDGE BECK PRICE & HECHT LLP		20 WEST 23RD STREET, FIFTH FLOOR, NEW YORK, NY 10010, USA		
	Secured Party Name:	CORPORATION SERVICE COMPANY AS REPRESENTATIVE		P.O. BOX 2576 UCCSPREP@CSCINFO.COM, SPRINGFIELD, IL 62708, USA		
	File no.	File Date	Lapse Date	Filing Type	Pages	Image
	201903075287115	03/07/2019	03/07/2024	Financing Statement	2	View
	201904015406424	04/01/2019	03/07/2024	Termination	1	View
3.	Debtor Name:	PIERCE BAINBRIDGE BECK PRICE & HECHT LLP		20 WEST 23RD STREET, FIFTH FLOOR, NEW YORK, NY 10010, USA		
	Secured Party Name:	CORPORATION SERVICE COMPANY AS REPRESENTATIVE		P.O. BOX 2576 UCCSPREP@CSCINFO.COM, SPRINGFIELD, IL 62708, USA		
	File no.	File Date	Lapse Date	Filing Type	Pages	Image
	201903085293677	03/08/2019	03/08/2024	Financing Statement	1	View
	201904015406373	04/01/2019	03/08/2024	Termination	1	View
4.	Debtor Name:	PIERCE BAINBRIDGE BECK PRICE & HECHT LLP		277 PARK AVENUE, 45TH FLOOR, NEW YORK, NY 10172, USA		
	Secured Party Name:	CORPORATION SERVICE COMPANY, AS REPRESENTATIVE		P.O. BOX 2576 UCCSPREP@CSCINFO.COM, SPRINGFIELD, IL 62708, USA		
	File no.	File Date	Lapse Date	Filing Type	Pages	Image
	201904305339185	04/30/2019	04/30/2024	Financing Statement	1	View
5.	Debtor Name:	PIERCE BAINBRIDGE BECK PRICE & HECHT LLP		277 PARK AVENUE, 45TH FLOOR, NEW YORK, NY 10172, USA		
	Secured Party Name:	CORPORATION SERVICE COMPANY, AS REPRESENTATIVE		P.O. BOX 2576 UCCSPREP@CSCINFO.COM, SPRINGFIELD, IL 62708, USA		
	File no.	File Date	Lapse Date	Filing Type	Pages	Image
	201904305339426	04/30/2019	04/30/2024	Financing Statement	1	View
6.	Debtor Name:	PIERCE BAINBRIDGE BECK PRICE & HECHT LLP		277 PARK AVENUE, 45TH FLOOR, NEW YORK, NY 10172, USA		
	Secured Party Name:	CORPORATION SERVICE COMPANY, AS REPRESENTATIVE		P.O. BOX 2576 UCCSPREP@CSCINFO.COM, SPRINGFIELD, IL 62708, USA		
	File no.	File Date	Lapse Date	Filing Type	Pages	Image
	201905145607607	05/14/2019	05/14/2024	Financing Statement	1	View

82. The entire Pierce Bainbridge firm is on notice of Pierce's financial malfeasance, yet nothing is done, business as usual. Many of them are also well aware that Pierce has directed a deluge of vicious and defamatory lies at Plaintiff, yet nothing but complicity and personal greed.

83. LaVigne has told Plaintiff plainly several times that virtually the entire partnership believes the False Allegations against Lewis are just that, False, yet they stand by complicit. From Lewis's pleadings, and primary source support, they cannot plead ignorance to Pierce's financial self-dealing, misappropriation of firm funds and breach of fiduciary duty to each of them. LaVigne even

strongly suggested he believed that Pierce was potentially engaged in criminal activity and implored Plaintiff to do something about it.

84. But the greedy and dishonest culture, which has enabled and encouraged the unspeakable smear campaign launched at Plaintiff, has seeped into all of these partners who turn a blind eye and keep it moving so long as they are still getting paid.

85. Conley of the Littler Firm and Yim of Putney Twombly appear by their own actions and omissions to be cut from the same cloth. As detailed below, they have provided critical assistance in the concerted effort to defame Plaintiff, and to deceive the state courts in New York and California.

EVENTS LEADING UP TO THE LEWIS COMPLAINT

The Retaliatory Banishment & Sham Investigation

86. In June of 2018, Plaintiff was recruited by PB to be an “Equity Partner and Co-Founder of the New York City Office.” His written agreement with PB, *inter alia*, guaranteed him compensation of at least \$420,000 through June of 2019. (Lewis Cmplt ¶ 83).

87. Plaintiff received glowing praise for his contributions to the firm. (Lewis Cmplt ¶¶ 84 – 86).

88. Plaintiff’s was blindsided and banned from the firm the very next day after he reported concerns about illicit financial activity. The firm’s bookkeeper provided disturbing reports concerning Pierce misappropriating firm funds, failing to pay debts as they became due and manipulating clients by providing gifts; Plaintiff reported his concerns shortly thereafter. (Lewis Cmplt ¶ 7-10).

89. Defendants responded by immediately orchestrating false allegations of sexual misconduct and eventually railroading Plaintiff out of the firm based on a jury-rigged “investigation” of the alleged improprieties.

90. The first Plaintiff heard of any “final report” of, or a “credible finding” in, the sham investigation was in the May 2019 LAC. In fact, on November 7, 2018 the lead “investigator,” Yim

from the Putney Twombly firm, promised Plaintiff in writing he would be apprised, and provided a copy, of any investigation conclusions. Plaintiff never heard from Yim or Putney Twombly again. (See Exhibit F, “Staged Investigation” Addendum, Item #7).

91. The “investigation” had severe procedural (no due process, no confidentiality, no time of occurrence, no impartiality) and factual deficiencies (the False Accuser, Beck and Yim each lied multiple times). The fabricated accusations do not pass the smell test on many levels: timing of the accusation, motives of the alleged victim, story vs. configuration of the office, timing of the alleged act, prior and subsequent interactions between Lewis and the alleged victim, online activity of the alleged victim (immediately taken down when Lewis referenced it).

92. Yim had zero interest in unearthing the truth. Exculpatory evidence was ignored and buried. Purported “facts” were a moving target; changed each time to “make it fit.” Yim insisted on severely handicapping Plaintiff by withholding even basic documents, Yim then produced two one-page documents, both times it was self-serving to cover his own mistakes.

93. Considering all the factual and procedural deficiencies in the investigation, any notion of a “credible” finding simply reinforces the point that the investigation was the result of collusion, deceit and malice – subjecting both Beck and Yim and their respective firms to claims for legal malpractice – and furnished to use as a primary weapon in a massive public defamatory smear campaign of Plaintiff.

NEGOTIATIONS CONCERNING THE LEWIS COMPLAINT

94. On March 26, 2019, Plaintiff’s undersigned counsel, Neal Brickman (“Brickman”), sent PB a draft of the Lewis Complaint.

95. Plaintiff engaged in settlement discussions, through Brickman, thereafter with PB, first directly with Edwards and later with PB’s outside counsel, Conley, a partner at the Littler Firm.

96. In late April, both sides expressed a willingness to resolve the dispute privately through mediation rather than through a highly public lawsuit.

97. On May 8, 2019, Plaintiff advised that he would participate in mediation only if PB, as a sign of good faith, “confirm[ed] that the defendants’ opening offer in mediation will be in the seven figures.” And set a deadline of May 14 for the opening offer.

98. At PB’s request, Plaintiff extended the deadline to demonstrate their good faith but made clear that he would file the Lewis Complaint if PB continued to stonewall past the morning of May 15. While awaiting PB’s demonstration of good faith, the parties selected a mediator and a mediation date of May 24, 2019.

The Conley, Pierce and Edwards Deceitful Withdrawal Stunt

99. Based on Defendants’ concerted misconduct, Plaintiff has been labeled an “Extortionist,” “Terrorist,” “Credibly Accused Sexual Assaulter,” and “Credibly Accused Sex Predator,” which has appeared in *Above the Law*, *American Lawyer*, *New York Law Journal*, *Bloomberg Law*, *Law360* and elsewhere.

100. This immense damage to Plaintiff’s reputation is the direct result of the concerted deceit of Pierce, Edwards, Beck, Conley and Yim. The documented exchanges from May 15 tell a markedly different story from the vicious falsehoods Pierce Bainbridge has spread with impunity, which are based on the core fabrications in the LAC.

The May 15th Timeline

101. An illustrative timeline from May 15, 2019, the day the LAC was filed:

11:32 a.m. Brickman-Lewis: “Having heard nothing further from you, I will be filing the complaint in five minutes.”

11:34 a.m. Conley-PB: “I can only offer that my client believes that a seven-figure number can be reached but cannot agree to an opening offer of seven figures.”

12:16 p.m. Conley-PB. “Not sure if you filed yet, but if you can get your client to hold off, the parties are in conversation and could get to Lewis’ number if you provide more time.”

2:11 p.m. Brickman-Lewis: See below.

From: Neal Brickman <Neal@brickmanlaw.com>
Sent: Wednesday, May 15, 2019 2:11 PM
To: Conley, S. Jeanine <JConley@littler.com>
Subject: FW: NYSCEF Alert: New York - Commercial - Contract - <DOCUMENT REMOVED> (Donald Lewis v. Pierce Bainbridge Beck Price & Hecht, L.L.P. et al)

I was able to get the complaint withdrawn and removed from the case docket. See below. If your clients make the commitment that we discussed before the close of business today, we will mediate on the 24th. If we do not get the commitment by the close of business today, we will re-file first thing tomorrow morning.

2:12 p.m. Conley-PB: See below.

From: Conley, S. Jeanine <JConley@littler.com>
Sent: Wednesday, May 15, 2019 2:12 PM
To: Neal Brickman <Neal@brickmanlaw.com>
Subject: Re: NYSCEF Alert: New York - Commercial - Contract - <DOCUMENT REMOVED> (Donald Lewis v. Pierce Bainbridge Beck Price & Hecht, L.L.P. et al)

Thanks Neal.

2:15 p.m. Conley requests a copy of the withdrawn file-stamped NYC Complaint.

5:50 p.m. Conley advises Brickman that she has no news to report about the mediation, the client is acting on its own and not listening to her advice, and if he wants to know what is going on, he should contact Edwards directly.

6:12 p.m. The sham LAC is filed. It is replete with falsehoods to defame Plaintiff on a massive public scale. It attaches the withdrawn file-stamped NYC Complaint.

The Morning After – Conley Avoids the Issue

102. Brickman asked Conley the next morning:

On May 16, 2019, at 7:09 AM, Neal Brickman <Neal@brickmanlaw.com> wrote:

1. When did you know that PB commenced an action against Mr. Lewis in Los Angeles?; and
2. Since you asked me to see if I could withdraw the complaint and actually thanked me, in an e-mail, for withdrawing it, how was that part of some “extortion scheme” as alleged in the complaint?

I sincerely hope that you were not part of this, but the evidence suggests that either you were or you were used. For instance, you asked me, as a courtesy, for a copy of the complaint that we filed. I extended you that courtesy and it ends up as an exhibit to the meritless complaint filed in Los Angeles. . .

103. Conley avoided the questions and led Plaintiff to believe she withdrew as counsel for PB or was terminated. Conley was silent until she filed a motion to dismiss the other New York action on July 3rd (the “Conley Filing”). The Conley Filing was not only substantively frivolous, but also contained inappropriate, unprofessional and sophomoric jabs at Plaintiff.

The Devious Misconduct of Conley

104. Conley's deception and malice are evident from her conduct in the days before the LAC was filed. As detailed below, Conley's conduct goes beyond zealous advocacy and aligns with malicious intent to harm.

105. **Conley's Stall Tactics.** Conley claimed on two occasions that she misread a one-page letter from Plaintiff's counsel. Neither excuse is credible. Both suggest she was deliberately buying time for Pierce Bainbridge to cobble together the LAC; in other words that her participation in the filing stunt was premeditated.

106. The first instance was incredibly dubious. Conley had both a letter and a transmittal e-mail for a week, setting a deadline to respond with a seven-figure offer or Plaintiff would file. Conley then claimed:

From: Conley, S. Jeanine <JConley@littler.com>
Sent: Monday, May 13, 2019 7:02 PM
To: Neal Brickman <Neal@brickmanlaw.com>
Subject: RE: Complaint

Neal,

I actually misread your letter and thought that you needed a response by tomorrow, May 14, COB, which I am currently drafting. [OMITTED]

107. Plaintiff was immediately skeptical and believed Conley to be playing games and buying time. Both Conley and her clients desperately wished to keep the matter private, they essentially begged, they threatened, they told all manners of half-truths. Conley's 15 clients in this matter are all trained litigators. Her claim of misreading one-date on a one-page letter, which was Plaintiff's drop-dead date for filing, presupposes that all 15 of her clients misread this critical date and/or that she didn't bother to communicate with them.

108. **Conley Scare Tactics I.** Conley's May 14th Letter concluded with a warning that if the matter did not settle privately, a public lawsuit and "claims in open court, which will be just—if not

more—harmful to your client given that we will be left with no choice but to vigorously defend the matter.” The Littler Firm’s definition of “vigorously” is extreme.

109. **Conley Scare Tactics II.** In an e-mail dated May 15th, Conley again employed scare tactics trying to keep Lewis from filing his Complaint.

From: Conley, S. Jeanine <JConley@littler.com>
Sent: Wednesday, May 15, 2019 8:49 AM
To: Neal Brickman <Neal@brickmanlaw.com>
Subject: Re: Don Lewis v. Pierce Bainbridge, et al.

OMITTED

Given that your client is essentially getting what he reasonably and initially asked for, which is a mediation in May and some assurance that a seven figure number is possible, I would hope he would again reconsider his direction and get over the hurt feelings for now to try to resolve this matter. For now, he would only be trying to clear his name with the firm which may be futile given his conduct after he was put on leave, but if he files, he’ll be trying to clear his name forever (particularly with any law firm he may want to work for in the future) regardless of the outcome.

110. It should also be noted that Conley’s statement that Plaintiff was “getting what he reasonably and initially asked for . . . some assurance that a seven-figure number is possible,” was either flatly dishonest, misleading or the product of an inability to read a one-page letter. “Possible” was not on the table,

111. **Conley’s Request for a File-Stamped Copy of the Withdrawn Complaint.** After Conley requested Brickman withdraw the Complaint and “thanked” him for doing so, she requested a file-stamped copy. The stamped Complaint was then attached as an exhibit to the LAC.

112. There is no reason Conley needed the stamped copy, except for the covert plans for the LAC. She only needed the file-stamped copy so her Pierce Bainbridge co-conspirators could make the specious filing/withdrawal/extortion allegation in the LAC, which resulted in Plaintiff being defamed as an “Extortionist” and a “Terrorist.”

113. **Conley’s Timing on May 15.** Conley was silent for four hours after requesting withdrawal and file-stamped copy of the Complaint. Then, at approximately 6 p.m., she claimed she was

checking out to go to an event and had “lost control” of her client. Less than 15 minutes later the LAC was filed.

114. Given the very short delay between the communications between counsel on May 15 and the filing of the LAC, it is clear Defendants were not acting in good faith when they asked Plaintiff to refrain from filing and then withdrawing the Lewis Complaint. Rather, they were buying time so they could file the sham LAC and begin a defamatory media assault on Plaintiff.

115. **Conley’s Failure to Disavow the Withdrawal Stunt.** Conley ignored Brickman’s questions the next morning whether she was involved in the filing of the LAC. Given her client’s misconduct, and her claim to have lost control of, and been duped by, Pierce and Edwards, Conley’s complete inaction concerning the same renders her version of the events less than credible.

116. **Conley Returns to Defame and Disparage Plaintiff in a Frivolous Court Filing.** Conley not only did not withdraw, but when she finally re-surfaced, she did so to disparage Plaintiff in a frivolous court filing. Conley filed a motion to dismiss that ignored the merits of Lewis’s claims, applied the wrong law but yet took time to make several *ad hominem* attacks on Lewis.

117. **Conley’s Nonsense Claim that Plaintiff “defamed” PB.** Conley failed to even try to identify a specific defamatory statement in the Lewis Complaint, yet levied this baseless allegation.

118. **Conley’s Elementary School Level Focus on “Hurt feelings.”** Conley, who applied the wrong law to Plaintiff’s fiduciary duty claims, stated: “Reduced to its essence, Plaintiff included [his former partners] in the Complaint because they hurt Plaintiff’s feelings.”

119. Notably, another firm has been sanctioned for doing precisely what Conley did here, *i.e.*, ignoring a bevy of allegations in the Complaint and substituting in “hurt feelings.” *In re Nat’l Century Fin. Enters.*, 2009 U.S. Dist. LEXIS 92237, at *26-28.) (S.D. Ohio Sep. 1, 2009) (sanctions awarded in “acrimonious” dispute where allegations . . . included “alarming reports of irregularities,” “unprofessionalism,” “abuse of corporate accounts” and “demonstrate more than ‘hurt feelings’ were at

issue”; deponents were “misleading, less than fully forthright” and engaged “gamesmanship”). The offending party in the *Natural Century* case was a deponent, while Conley is an officer of the court and had the benefit of a written submission which provides time to contemplate, review and revise; her misconduct was calculated and premeditated.

120. It should also be noted that Plaintiff has been consistently adamant from the outset that the False Allegations against him are baseless. Plaintiff was illegally expelled from his position as a Partner, falsely labeled a “sexual assaulter” throughout the firm, banned from speaking with any firm personnel for life, threatened repeatedly with bogus threats of arrest, and has been massively defamed on an almost critical scale, with the deranged, substance abusing Pierce even labeling him a “sex predator” to thousands, **yet Conley has minimized this all to a mere issue of “hurt feelings.”**

121. Relatedly, Conley opined to Mr. Brickman by e-mail dated May 15, the same day the LAC was filed:

“Lastly, I have not talked much about the merits because I don’t think they really matter once the parties have genuinely decided it makes more sense to resolve the matter. But i think your client’s focus on feeling disrespected and his hurt feelings is clouding his judgment and his ability to see that there are two sides to every story and a court might choose either side depending on who they believe and who they think is rational.”

Conley continued, again making threats and forewarning of the defamatory attack to come:

“I would hope he would again reconsider his direction and get over the hurt feelings for now to try to resolve this matter. For now, . . . if he files, he’ll be trying to clear his name forever (particularly with any law firm he may want to work for in the future) regardless of the outcome.” (Emphasis added.)

122. Mr. Brickman responded by telling Conley: “I can also advise you that your comments on my client’s ‘feelings’ are not helping your cause. Stick to the facts and the allegations.”

123. In sum, Conley provided bogus excuses to buy time, was on the front lines of the Withdrawal Stunt, requested a file-stamped copy of the Complaint, levied scare tactics and then submitted a motion to dismiss replete with disparaging personal slights. She was undoubtedly acting in

concert with Pierce, Edwards, Beck and Yim to publicly defame Plaintiff and deceive the New York State Supreme Court and the Superior Court in Los Angeles.

**Michael Yim and Putney Twombly's Bogus "Credible" Finding
Used as a Hook to Defame Plaintiff on a Massive Public Scale**

124. The LAC was the first time Plaintiff ever heard of a purported "credible" finding arising out of the sham investigation. Yim, Beck's friend, promised Plaintiff he would be provided a final report. That was on November 7, 2018. Plaintiff never heard from Yim again.

125. Yim, Edwards and Conley all threatened Lewis with warnings about #MeToo and "Career Killer." Never once during the over 50 days of negotiations was a "credible" finding mentioned. Conley made broadside inappropriate threats, as covered above, in attempt to coerce Plaintiff to refrain from filing. Conley never, however, reported there was a credible finding.

126. Then the sham LAC is filed and voila! a "credible" filing which Pierce and the Pierce Bainbridge firm use to defame Plaintiff into oblivion – "**Credibly** Accused Sexual Assaulter" and "**Credibly** Accused Sex Predator." Yim and Putney Twombly then file court papers claiming they made such a finding.

127. By doing so, Yim and Putney Twombly essentially judicially admitted that they are part of a concerted effort to defame Plaintiff and destroy his reputation. Any other answer is fiction. There is simply no way that Yim and Putney can say with a straight face that the False Allegations were "credible."

128. Beck oversaw the sham investigation, worked hand in hand with Yim, and faces equal responsibility for this gross miscarriage of justice.

Flaws in the Yim and Beck So-Called "Investigation"

129. The "investigation" flaws included, without limitation,

- a. Putney Twombly and Yim failed to afford any due process to Lewis as required by State law and Rules of Professional Conduct;

- b. Putney Twombly and Yim failed to interview Lewis;
- c. Putney Twombly and Yim failed to establish the timeline of events despite multiple requests;
- d. Putney Twombly and Yim failed to provide a summary of prior relevant incidents;
- e. Putney Twombly and Yim failed to provide exculpatory documents;
- f. Putney Twombly and Yim failed to consider exculpatory evidence;
- g. Putney Twombly and Yim failed to consider the adverse impact of the exculpatory evidence on the accuser's credibility;
- h. Putney Twombly and Yim engaged in spoliation by permitting deletion of critical on-line materials shortly after they were reported; then signed off on a complaint filed with the LAC court directly undermined by the deleted materials.
- i. Putney Twombly and Yim failed to respond to charges that key documents were altered and/or destroyed;
- j. Putney Twombly and Yim refused to provide documents, particularly exculpatory documents;
- k. Putney Twombly and Yim failed to respond to Lewis's counsel's November 8, 2018 "Investigation Flaws" Letter;
- l. Putney Twombly and Yim permitted the False Accuser to have access to view Pierce Bainbridge's e-mails during the investigation;
- m. The False Accuser was allowed to contact Lewis's former employer, in writing, to report that he was on administrative leave;
- n. Putney Twombly and Yim repeatedly made threats of potential criminal charges by the False Accuser if Lewis did not resolve the matter to the firm's satisfaction;
- o. Putney Twombly and Yim failed to provide the written documentation of the investigation; and
- p. Putney Twombly and Yim has refused to provide the report of his sham investigation on the basis that he was not obligated to do so.

130. On the very last day of communications, November 7, 2018, upon being pressed and advised of Plaintiff's intention to seek legal recourse, Yim admitted that Mr. Lewis was not afforded "due process" and even admitted he was "biased." Yim then bizarrely insisted that only an associate from his firm, not anyone else, could stand in his place to cure this bias.

131. If all of this is not bad enough, Plaintiff never heard from Yim again, and notwithstanding

these baseline flaws, Yim absurdly opined in writing that he was “fully confident in the process.”

132. Yim then apparently took another 23 days, and based on his “biased” investigation, with all these flaws, has the temerity, and lack of respect for his role as an officer of the court, to submit a “biased” but “credible” finding.

133. Yim and Putney Twombly maliciously colluded with Pierce Bainbridge, subjecting Yim and the firm to legal professional malpractice and other claims in the Lewis Complaint. They were also clearly part of the instant concerted effort to defame and harm Plaintiff. There is no other way to justify their “credible” finding in the LAC, which has been the foundation and catalyst to defame Plaintiff on a massive public scale, with Conley conceding the immense harm such malfeasance would have – “he’ll be trying to clear his name forever (particularly with any law firm he may want to work for in the future) regardless of the outcome.”

THE DEFAMATORY PIERCE BAINBRIDGE LOS ANGELES COMPLAINT

134. The sham LAC is the continuation of a concerted and prolonged effort to discredit and demonize Plaintiff.

135. Three defamatory narratives have received widespread dissemination based on the lies in the LAC and related deranged public statements of Pierce.

136. **Plaintiff is an “Extortionist” and a “Terrorist.”** The LAC alleges Plaintiff (i) withdrew the Complaint as part of “scheme to extort” and (ii) “sought to extort a sum of \$65 million on multiple occasions.” Both are flatly not true.

137. As for the withdrawal, the timeline above shows Conley requested Plaintiff withdraw the Complaint, Plaintiff did and Conley “thanked him for doing so –Conley then deviously asked for file-stamped copy as part of her scheme with Edwards and Pierce. Then a few hours later, the sham LAC is filed, the file-stamped copy Complaint attached, and the crooked Pierce Bainbridge forces allege that Plaintiff withdrew as a “scheme to distort” – the allegation, which was then used to nationally defame

Plaintiff, shows a breathtaking level of lack of respect for any bounds of professional decency.

138. As for the \$65 million demand figure, Edwards is just a flat-out liar. Nothing clever, no sleight of hand, no deception. Just an outright bold-faced lie. Edwards was directly involved in the initial discussion where on Day 1 it was agreed that a settlement would be in the seven figures, which Edwards acknowledged by e-mail. Then Edwards lied about it with impunity in a court filing, did so with extreme malice, and it has resulted in the massive harm he had hoped to cause. Edwards should face grave disciplinary reprisal.

139. **Plaintiff is a “Credibly Accused Sexual Assaulter” and a more deranged defamatory statement by Pierce.** This is premised on the concerted misconduct of Beck and her friend Yim. Yim promised to provide Plaintiff a final report. He never did. In addition, there was zero basis for a “credible” finding. Former NYPD detectives almost immediately opined that there was essentially no investigation.

140. A “credible” finding was never mentioned, much less reported. During negotiations, Plaintiff was threatened with “#MeToo” and “Career Killer” in an effort to keep him from going public. Such efforts would have been bolstered by advising Plaintiff of a “credible” finding; this was never done.

141. The finding conveniently appeared for the first time in the LAC and the disreputable Pierce Bainbridge relied on the same to defame Plaintiff on a massive national scale. Yim and Putney Twombly remarkably then stood by the bogus “finding,” and Beck has condoned the same by her silence.

142. There are egregious procedural (no due process, no confidentiality, no time of occurrence, no impartiality) and factual deficiencies (the False Accuser, Beck and Yim each lied multiple times) which destroys a “good faith” finding of “credibility.”

143. **The Lewis Complaint is a “Defamatory Complaint.”** The LAC defines the Lewis Complaint as a “Defamatory Complaint” yet offers zero specific support.

144. Pierce has whined that Lewis “manufactured,” “concocted,” and “fabricate[d] stories

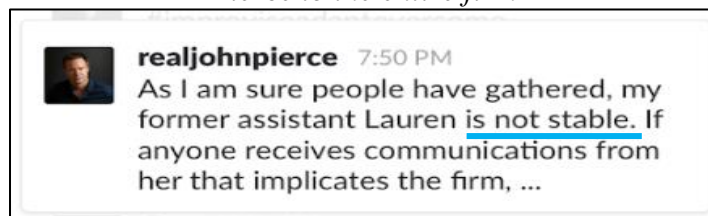
about things he knows nothing about.” The LAC, however, first attempts to identify a specific defamatory statement in paragraph thirty-one, picks seven allegations, and alleges they are “untrue” and “outrageous claims.” (LAC ¶ 31).

145. Pierce Bainbridge failed miserably; none of the seven contains any falsehoods. A particularly striking example:

According to the LAC ¶ 31(d): “Among the many irrelevant and untrue allegations, the [Lewis] Complaint currently makes the following outrageous claims: ‘*One of the partner’s employees is mentally unstable*’”

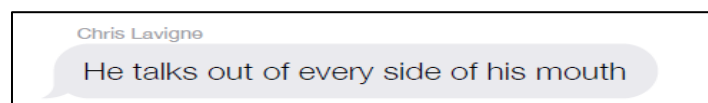
Lewis Response: Pierce made the post below to the entire firm on August 13. The content is alleged “verbatim” in the Lewis Complaint.

Pierce to the entire firm



146. Pierce didn’t just make the statement, he opined that everyone would have already independently concluded that Lauren Schaefer-Green was unstable, an accurate assessment.¹²

147. PB Partner LaVigne provides insight into the tone at the top at Pierce Bainbridge; LaVigne on Pierce, August 20:



148. Pierce Bainbridge has made a slew of false and defamatory statements about Plaintiff in the media. (A chart of defamatory public statements is attached as Exhibit G; the chart is incorporated herein by reference.) The annotation of a Pierce quote in *Above the Law* just a few days after the Lewis

¹² The “Lauren” referenced is Pierce’s 24/7 personal assistant, Lauren Schaefer-Green (“Schaefer-Green” or “LSG”).

Complaint hit starkly illustrates that he really does “talk out of every side of his mouth.”

149. The LAC filed by Pierce Bainbridge is a poor faith pleading. It is riddled with falsehoods, internal inconsistencies and misleading characterizations. It was filed to mute the impact of the Lewis Complaint, with the hopes that the defamatory statements therein would be republished, which they were. Not only were they republished, but Pierce Bainbridge relied on the LAC as a catalyst to provide a deluge of defamatory statements about Plaintiff to the media.

LAC Falsehood #1: Lewis allegedly demanded \$65 million not to file the Lewis Complaint.

150. The LAC’s defamation commences in the second paragraph:

“In a transparent attempt to . . . extort money from the Firm, [Lewis] has threatened to file unless Plaintiff agrees to pay him \$15 million . . . in compensatory damages and \$50 million of punitive damages.” (LAC ¶ 2) (Emphasis added.)

151. Not content with submitting this blatant falsehood to the Court, Edwards figured it prudent to bolster the same with an even bigger lie. The LAC continues:

“[Lewis] sought to extort a sum of \$65 million on multiple occasions . . .” (LAC ¶ 51) (Emphasis added.)

152. Edwards’s own e-mails prove this to be pure fiction. Edwards is apparently comfortable submitting demonstrable falsehoods with extreme malice to the Court; he appears to be fully immersed in the Pierce Bainbridge culture.

153. The day after receiving the Complaint, on March 26, 2019, Edwards informed Plaintiff’s counsel he was the lead negotiator for PB.

154. Edwards is a Securities and Exchange Commission lawyer, with no discernible employment or partnership law experience, which quickly became evident; like Conley, Edwards was apparently ignorant of applicable law.

155. A multitude of people have opined, as has PB Partner Chris LaVigne, that Pierce hand-

picked Edwards for an obvious reason, as stated by PB partner LaVigne: “John picked Denver because you’re both black. It’s so obvious.” Conley, who is based in Philadelphia, not New York, is also black.

156. Displaying his lack of relevant experience, Edwards asked the next day, on March 27, 2019, “if \$65 million was needed for resolution.” Mr. Lewis’ counsel immediately responded: “No,” and said seven-figures could resolve the dispute.

157. Edwards acknowledged the “seven-figure” range the next day

From: Denver Edwards <dedwards@piercebainbridge.com>
Sent: Thursday, March 28, 2019 10:53 AM
To: Neal Brickman <Neal@brickmanlaw.com>
Cc: Denver Edwards <dedwards@piercebainbridge.com>
Subject: Donald Lewis v PB

Neal:

Thank you for taking my call yesterday. I appreciated the frank discussion of the issues and a path forward. I am mindful of our discussion yesterday and the range that we discussed. Has a damages analysis been prepared? I'd like this information to brief external counsel, should we retain one, or to educate my partners, if we deal directly?

I am mindful of the urgency of the situation and the need to not let this linger. I will call you by COB today, as discussed, to brief you on noteworthy developments.

Denver

158. Mr. Brickman responded with a “back of the napkin” demand in the seven figures, Edwards responded:

From: Denver Edwards <dedwards@piercebainbridge.com>
Sent: Thursday, March 28, 2019 12:11 PM
To: Neal Brickman <Neal@brickmanlaw.com>
Subject: RE: Donald Lewis v PB; Confidential for Settlement Purposes Only

Neal:

Thanks very much. And no, I'm not interested in a long stall. However, it would be improper for me not to ask the basis of the alleged damages. Now that I have this, I can have an intelligent conversation with stakeholders.

Back to you shortly.

Denver G. Edwards

159. Again, notwithstanding his own e-mails, Edwards then alleged in the LAC that Lewis “sought to extort a sum of \$65 million on multiple occasions.” This is akin to “fraud on the court.”

PB Falsehood #2: Lewis filed and withdrew his complaint as part of an extortion scheme.

160. Continuing to set the defamatory stage with falsehoods, the LAC alleges:

“After [the Lewis Complaint] had been public for approximately an hour, [Lewis] then **deleted the filing as a tactic, furthering his scheme to extort Plaintiff.**”

161. The remarkable falsity of this allegation has already been covered, again there are one-page e-mails that illustrate this is a massive and malicious lie, submitted to the court in order to defame Plaintiff and set the stage for even more massive and more malicious defamation to come.

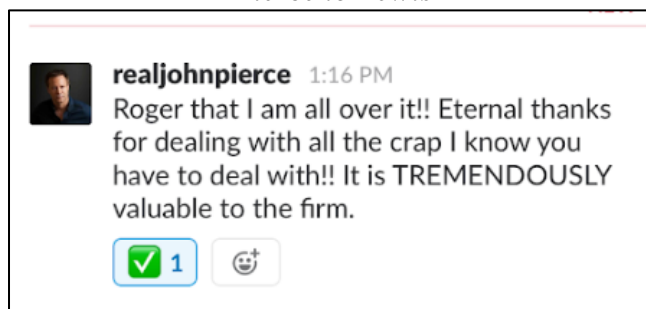
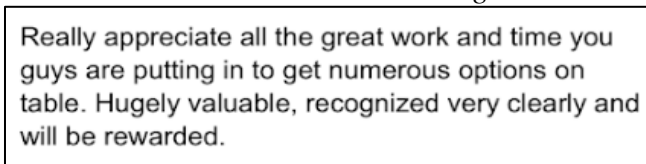
162. The deception deployed by Pierce and Edwards in torpedoing negotiations and filing the LAC is not isolated, but rather consistent with the dishonest manner in which Pierce Bainbridge conducts business: (i) Pierce Bainbridge chronically and intentionally exaggerates the value of cases, (ii) Pierce Bainbridge chronically and intentionally exaggerates the abilities of its attorneys, and (iii) Pierce Bainbridge chronically and intentionally exaggerates the nature of its relationship with litigation financiers.

163. The Pierce Bainbridge firm is not just perched precariously on a financial house of cards, its very existence is fueled almost exclusively by a perpetually flowing fountain of fabrications.

THE DEFAMATORY FALSEHOODS LITTERED THROUGHOUT THE LAC

164. The LAC is replete with allegations that are false and defamatory *per se*, most of which are proven false by PB’s own written admissions, undeniable actions and/or information of which they are well aware but deceitfully ignored. The LAC Chart, attached as Exhibit C, was undertaken for the sake of efficiency because virtually every single paragraph in the sham LAC contains malicious falsehoods specifically meant to harm Lewis. A number of additional representative examples are below.

165. “[Lewis] . . . made virtually no meaningful contribution to the Firm’s development.” (LAC ¶¶ 2, 37) This is false and defamatory. Primary source screenshots, as well as paragraphs 84-86 of the Lewis Complaint obliterate this false narrative.

Pierce to Lewis*Pierce to Lewis and LaVigne**Hecht, Pierce and Lewis*

*Patrick Bradford to Lewis – Recruiting Contribution
Discrimination at firm also captured.*

On Sep 15, 2018, at 10:23 AM, Patrick Bradford <REDACTED> wrote:

Hey Don: You are too funny! And I am from Alabama! Proudly so! And I do not want you to mess up your situation on my behalf, and I mean that sincerely. The fact that I was being asked to submit a business plan (when my understanding was no other potential partner was) let me know that it was unlikely to work out. This, when my objective qualifications exceed some of your partners - - that is if I were White. Folks come up with all sorts of justifications for their.....shortcomings let's say. If John wants to invite me to join the group as a partner, then he should simply contact me with an offer. I will then discuss the matter with him and make a decision. But I don't think you should risk harming your relationships in your new firm on my behalf. And I do sincerely thank you for your efforts, including this update. I hope that you and your family are well. And that the new job is challenging and rewarding. BTW don't miss "Scraps" at The Flea Theater and don't miss "The True" with Eddie Falco at The New Group (appearing at the Signature Theater, 42nd and 10th Ave.) Best, Patrick

LaVigne to Pierce and Lewis

Chris Lavigne
John -

Just want to let you know I got your back. I fully subscribe to your mantra that problems without solutions don't get us anywhere. I want to make clear that Don and I ambushed you not to whine about petty shit. I really am 100% invested in this thing and want more than anything for us all to succeed. You've built something great - we have a team of superb lawyers without ego that are all excited every day to build the best law firm in the world.

I have a massive amount of respect for the people that kept this thing together before the rest of us. Any criticism I've made is solely coming from a place of wanting to (1) keep thing enterprise going so the seed you've planted can flourish and (2) litigate circles around everyone else so we can win our cases. Don and I have busted our butts to do whatever we can to line up money and business. We're two solution-oriented people leaving it all on the field. Don's much more blunt about things (lol), but the concerns I raised about money and winning and our collective high blood pressure is solely because we want this rocket ship to reach the stars! The petty shit will all work itself out. I'm focused on the big picture. I'm in this for the long haul. We've got your back. Let's kill it.

166. The last screenshot touches on several lies in the LAC – concern about finances, contributions to firm, corrosive force, etc. . . . the LAC is riddled with lies.

167. **One of the Firm's partners struggles with substance abuse.** (LAC 31¶ (b)). The LAC claims this is “untrue” and “outrageous.” This is an accurate statement and the partner is John Mark Pierce. The Managing Partner’s substance abuse, and the corrosive effect that these issues have had on

Pierce's professional conduct, his relationship with others at the firm and the general well-being of Pierce Bainbridge are covered in multiple contemporaneous communications.

168. Prior to reviewing a representative sample of the same, it is important to note that in his public rants, Pierce has published numerous false statements about Lewis which run the gamut from the shocking - "Credibly Accused Sex Predator and Sexual Assaulter" - to the prosaic "disgruntled former Partner." Not content with the stigma of a sex crime, Pierce has upped the ante and also accused attorney Lewis of being a "Terrorist" and "Extortionist." Pierce's behavior is so utterly craven and utterly depraved, it appears to be the product of a poisonous combination of substance abuse, a desperate need to cover-up his financial wrong-doing and an all-consuming need to keep from being exposed as a fraud.

169. A compilation of Pierce's public defamation of Plaintiff, all outright lies, reflects a troubled and unbalanced individual who does not appear to be fit to practice law. Plaintiff has not annotated the quotes; the reader can judge for himself.

170. Before beginning this exercise, it should be noted that Sylvia Jeanine Conley and the Littler Firm, Michael Yim and Putney Twombly, and Denver G. Edwards have all voluntarily chosen to side with Pierce, breach ethical norms and violate their duties and obligations as officers of the court while doing Pierce's character assassination. Beck has not been mentioned, she has been doing Pierce's corrupt bidding for two years and as the saying goes: "Beck is so far behind she does not even realize that she is losing the race."

Compilation of Pierce (and Edwards) Public Defamation

American Lawyer

- "We will not be held up by a disgruntled former employee looking for a payout," he said. "It seems the defendant has concocted salacious accusations to retaliate for the firm firing him for his own wrongdoing. The firm stands ready to defend its reputation and reveal Mr. Lewis's actions for what they are—outright extortion."

- Lewis “made virtually no meaningful contribution to the firm’s development” before he was terminated in November, and that he has made his strategy clear with threats to “ruin” the firm and have it investigated by the Federal Trade Commission.
- “Mr. Lewis’s allegations about Pravati Capital are not true,” he said in a statement. “Pravati is a sophisticated litigation funder that has been in business for years. They perform their own robust diligence on each case they fund, and they know what they’re doing. The notion that they could have been hoodwinked into making a bad investment is nonsense.
- Pierce acknowledged that his partner, Bainbridge, was the same person named in the FTC’s enforcement action, but said the allegations in Lewis’ complaint were “wrong and deceptive.” (Lewis allegations about Pierce’s co-managing Partner Bainbridge’s role as an alleged “ringleader” in an \$80 million scheme on the consuming public were taken from a Federal Trade Commission. A contemporaneous news article called Bainbridge a “cheat”.)

Big Business Law

- In its filing, Pierce Bainbridge accuses Lewis of looking to “seek revenge for his termination” and attempting to extort the firm for \$65 million.
- “Mr. Lewis’s actions constitute outright extortion,” he said. “After only 4 brief months at the firm, the plaintiff seems to think he can fabricate stories about things he knows nothing about. And then demand that we reward him for his shameful behavior.”

Law 360

- Pierce Bainbridge paints a picture of Lewis as a disgruntled former partner who was ousted after he allegedly attempted to obstruct an investigation into "credible" accusations of sexual assault brought by a legal assistant. Pierce Bainbridge said Lewis's 96-page complaint, replete with numerous alleged copies of internal firm communications, is "frivolous and defamatory," and was used as leverage to extort the firm into forking over millions of dollars as part of a purported "settlement."
- Pierce addressed the allegations against Lewis. "When there is a credible allegation of sexual assault at Pierce Bainbridge, we will ferociously protect our employees. Period. Full stop. Forever. We also enjoy earning millions of dollars for the amazing litigation funders we have worked with, and we always will. We will NOT negotiate with terrorists, we will NOT be extorted and we are NEVER stopping," the post read.

Above the Law – *Already covered, but now that the readers have relevant background they may enjoy playing: “spot the 10 Pierce lies in this one quote.”*

- Lewis’s lawyer sent a draft of his complaint to the firm in March. The document was filled with pages and pages of manufactured allegations that have nothing to do with his supposed underlying claims, and were included only for the purpose of threatening to embarrass the firm. The complaint demanded \$65 million in damages, and Lewis demanded several million dollars in exchange for not filing it. That’s extortion. We participated in early-stage talks with his attorney in an effort to settle for nuisance value, which would avoid the distraction that Lewis is now trying to cause. But when it became clear that he was not engaging in good faith — and in fact had already filed the complaint publicly — we moved forward with filing our own complaint.

LinkedIn

- When there is a credible allegation of sexual assault at Pierce Bainbridge, we will ferociously protect our employees. Period. Full stop. Forever. We also enjoy earning millions of dollars for the amazing litigation funders we have worked with, and we always will. We will NOT negotiate with terrorists, we will NOT be extorted and we are NEVER stopping. Now let’s go win a trial for Lenny “Nails” Dykstra in Los Angeles on June 11th! #resilience #warriors #litigationforce

LinkedIn

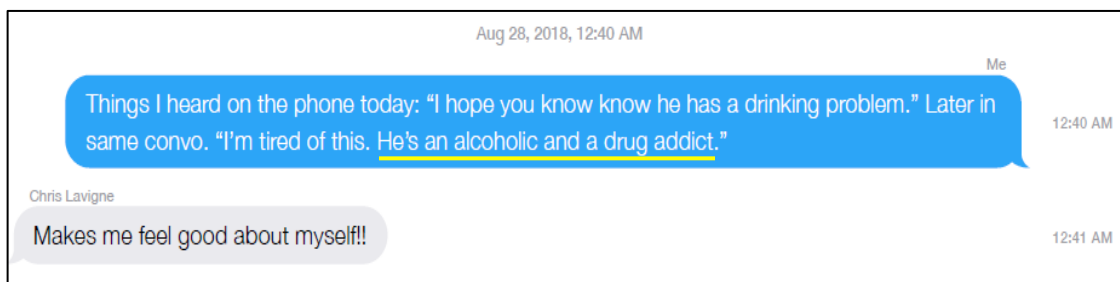
- Now I know how POTUS feels dealing with fake news!! I am disappointed in you Meghan Tribe at Bloomberg BNA. The headline and substance of your article is totally misleading and just incorrect. You should retract. This is very bad journalism. Pierce Bainbridge and Pravati Capital LLC enjoyed a wonderful and productive relationship. They helped us grow and received a handsome return in exchange. I would highly recommend them to any law firm or claimant in the world. The investment was closed out in the ordinary course of business, and Pierce Bainbridge maintains a great relationship with not only Pravati but also with additional global litigation funders with billions of dollars of capital. The specifics of these relationships are confidential, Meghan Tribe -- and this transition has nothing to do with the transparent extortion plot brazenly launched by a disgruntled former partner who contributed effectively nothing to the firm and is a credibly accused sex predator. I like you, and you usually do good work. But this is totally incorrect and you should retract immediately. #fakenews #clickbait

171. As noted, in addition to the alcohol, Grace Chang, Director of Operations Supervising Paralegal has referred to Pierce as an “alcoholic and a drug addict.” The conversation took place on

August 27. This was shortly after the Boston Trial, where Schaefer-Green texted “FU*K GRACE”. Pierce, apparently suffering from delusions, explained “Grace is crushing on me and [Schaefer-Green] is just jealous” and then referred to Chang as “plump and cuddly” and opined: “[N]ormal chicks like Grace are scared of me. The psychos are drawn to me.”

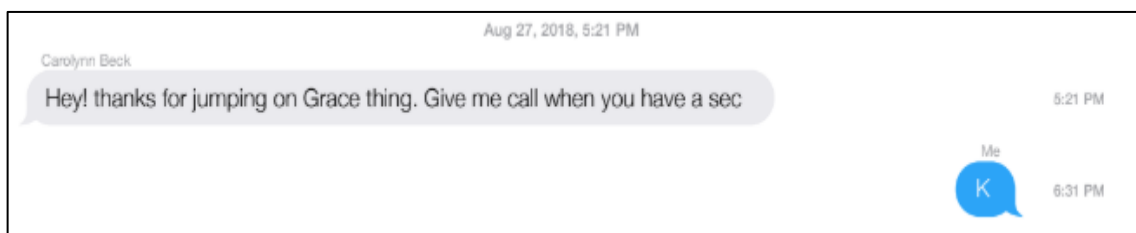
172. Chang, the longest tenured employee at the firm, was on the verge of quitting, based in large part due to harassment from Pierce. Beck asked Plaintiff to talk with her. Plaintiff discussed Chang’s concerns with Beck, Co-Managing Partner Bainbridge and LaVigne, who communicated with Plaintiff later that night:

LaVigne and Lewis – August 28, 2018



173. Beck, who had requested Lewis speak with Chang, thanked him for doing so.

Beck and Lewis – August 27, 2018



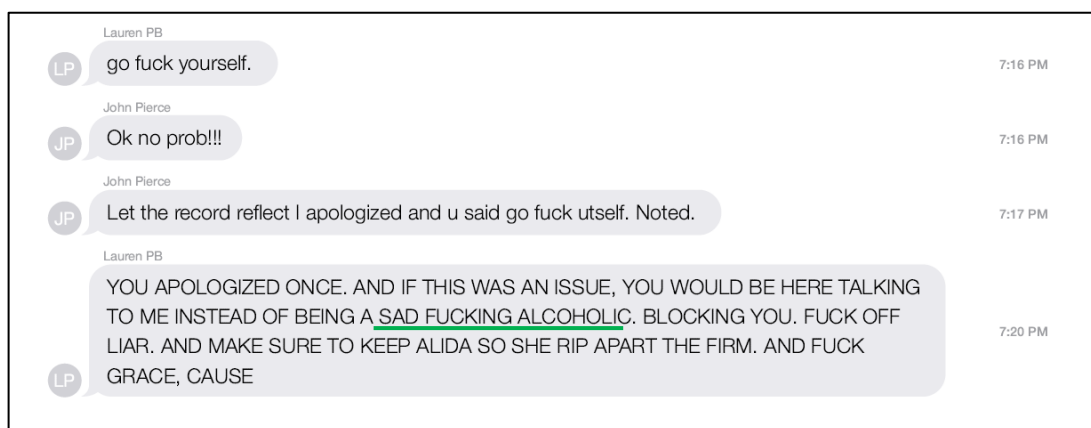
174. Schaefer-Green has also talked at length about Pierce’s purported issues with narcotics. During a particular conversation Schaefer-Green expressed apprehension that “with the drinking in Boston, he’s going to do it all again, and implode all over.” Schaefer-Green also detailed the typical progression starting with alcohol and ending with long periods of unavailability. A lot more was said

but repeating the same is not necessary to illustrate the falsity of the LAC with respect to substance abuse at Pierce Bainbridge. (LAC ¶ 31.)

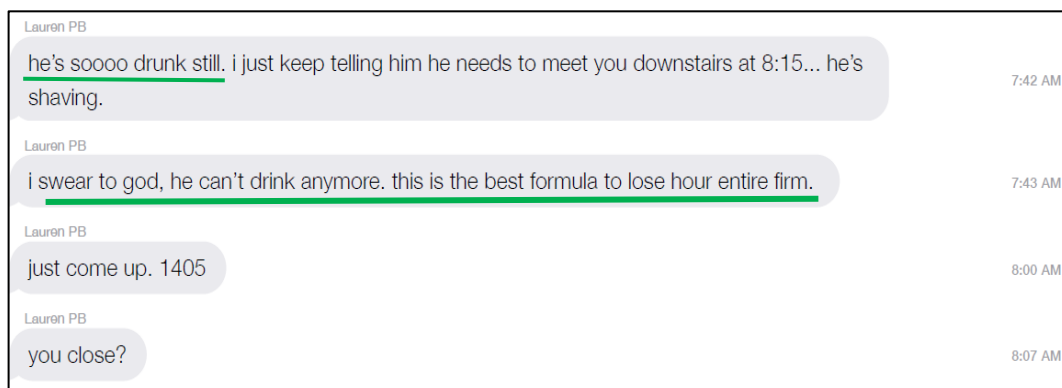
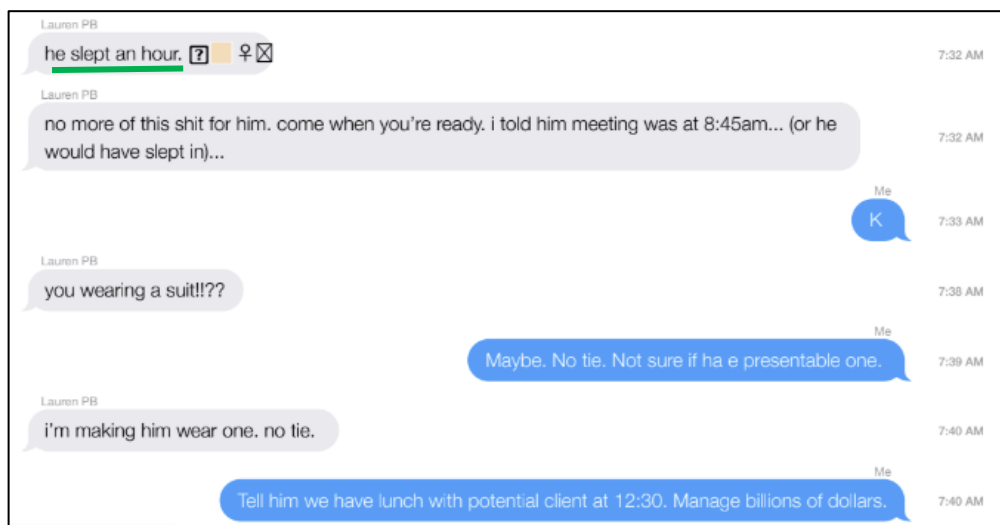
175. Critically, Pierce's documented substance abuse problems are not germane simply to refute the LAC's nonsense that Lewis defamed the firm by bringing up Pierce's omni-present issues, but they are also relevant as an indicator of motive and malice.

176. Pierce's issues with alcohol have without question harmed the firm, PB's funders, PB's clients and PB's personnel. Schaefer-Green is Pierce's 24/7 assistant. They share a bed, she has been by his side for five years and is Pierce's closest confidante. The two of them had a number of quarrels while the firm was covering a three-week federal trial in Boston which they were not shy about parading in front of others. One such exchange on August 9 is below; it aligns perfectly with consistent themes at the firm related to Pierce and alcohol:

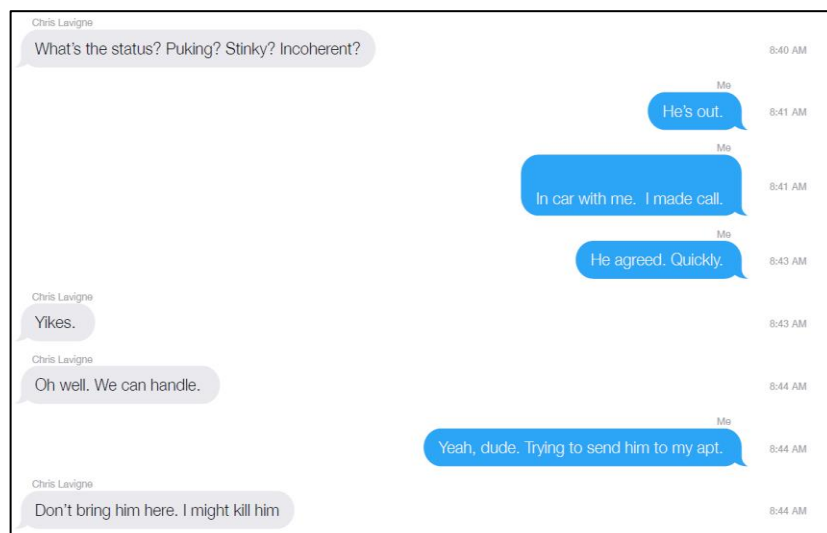
Schaefer-Green and Pierce – August 9



177. In another instance, LaVigne had set up a golden opportunity for funding through his personal and professional contacts. The meeting was scheduled for 9:00 a.m. on a Tuesday morning. Pierce asked Lewis to pick him up at his hotel on the way to the meeting. At around 7:40 a.m., Schaefer-Green had updates which were not particularly promising:

Schaefer-Green & Lewis

178. Lewis had been communicating with LaVigne and had hoped Schaefer-Green was exaggerating and Pierce would be ready to go. The firm badly needed an influx of funds, and LaVigne had expedited this meeting through his connections. Lewis was in transit with Pierce when LaVigne asked for an update, and Lewis broke the bad news. LaVigne was justifiably not pleased. See below.

LaVigne and Lewis - August

179. Pierce missing the funding meeting was a big concern. He also missed a lunch Lewis had set up that day with a potential client that manages billions of dollars. Following the lunch, Lewis sent Pierce a message including his concerns about the peoples’ “lives and livelihoods” that were being jeopardized by Pierce’s actions, which was similar to a joint message from LaVigne and Lewis to Pierce the night before.

180. Ultimately, Pierce responded by noting that he would take his medication and there would be no further issues. Both Pierce and Schaefer-Green openly talked about his medication, and Pierce ingested the same in the open during meetings.

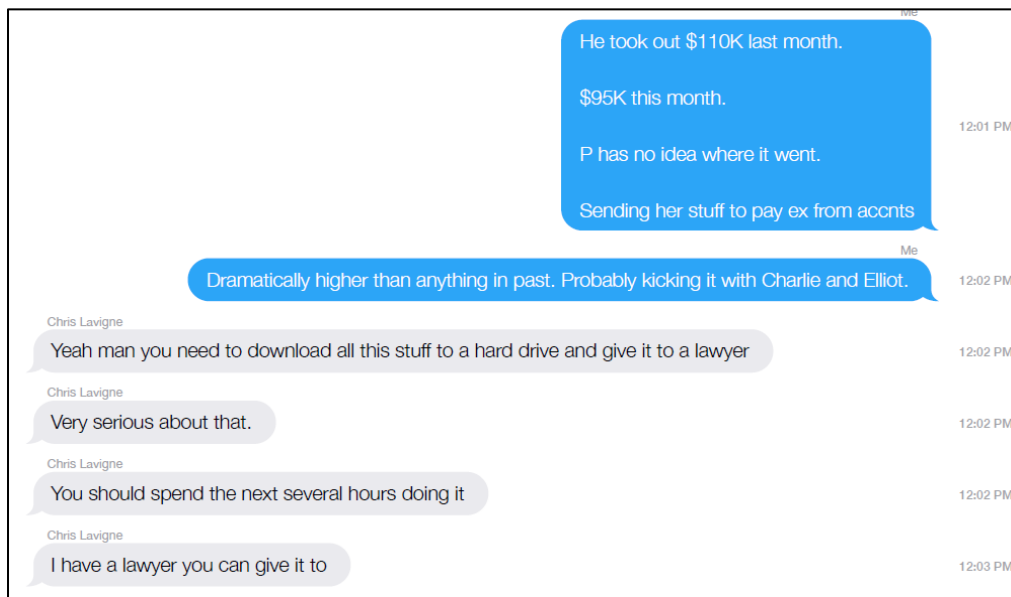
181. **“Never Expressed Concerned About Finances.”** (LAC ¶ 25) This is false and disparaging. Suffice it to say LaVigne and Lewis worked tirelessly trying to figure out a way to right the finances ship. They confronted Pierce in August. They talked to the bookkeeper about it regularly. They frequently stayed up through the night.

182. Indeed, the allegation that Plaintiff “never complained or expressed concern about” firm

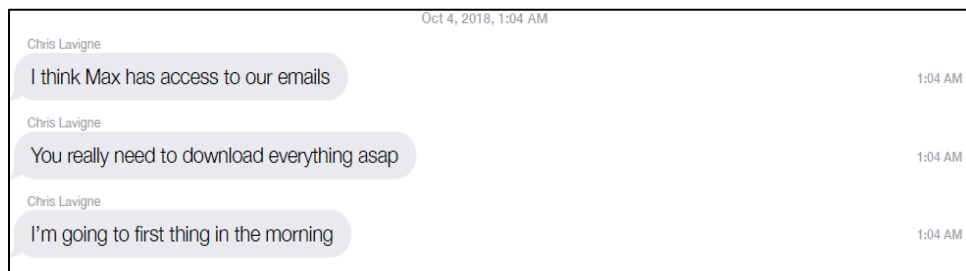
“operations”¹³ at PB is disproven by written communications between Plaintiff and others. It is simply not true.

183. LaVigne is an experienced white-collar attorney and strongly suggested that criminal financial wrongdoing was potentially afoot. In both late September and early October, after receiving reports from the bookkeeper that Pierce had withdrawn \$200,000 in two months and was using firm funds to pay his alimony, LaVigne implored Plaintiff on two occasions to “download files” and “take them to a lawyer.”

Lavigne and Lewis – September 26, 2018



LaVigne and Lewis – October 4, 2018

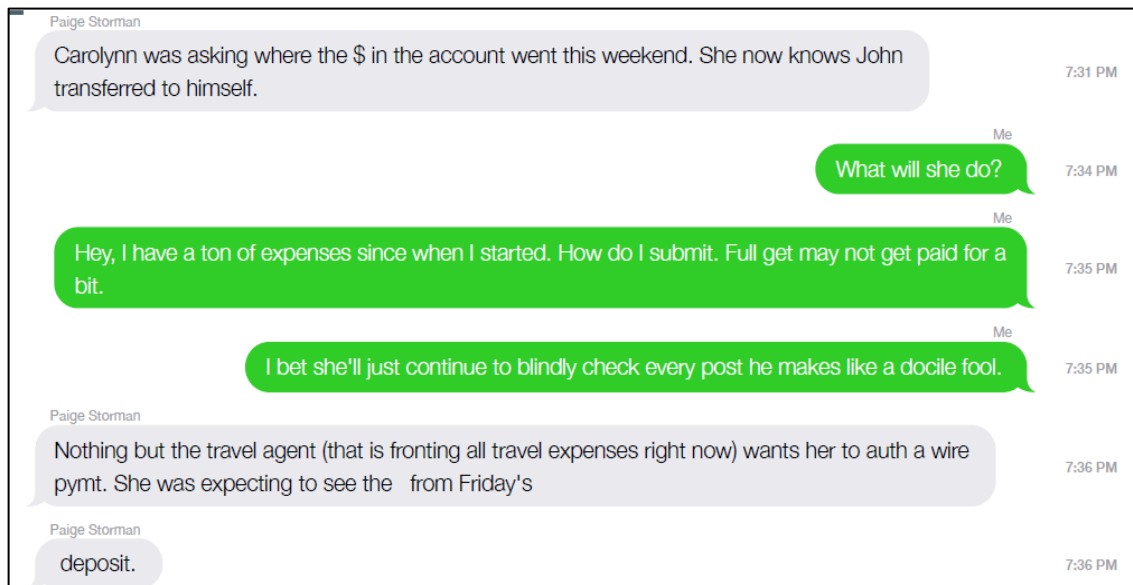


In addition, on or around October 2, 2018, when the bookkeeper reported self-dealing by Pierce, Lewis

¹³ See LAC ¶ 15.

was concerned that Defendant Beck, a name-partner and General Counsel for the firm, who, upon information and belief, was the only partner who accessed firm accounts other than Pierce, would do nothing about the Pierce malfeasance -- a concern that the bookkeeper shared. This was an operational concern, an ethical concern and a financial concern.

October 2 – Bookkeeper and Lewis



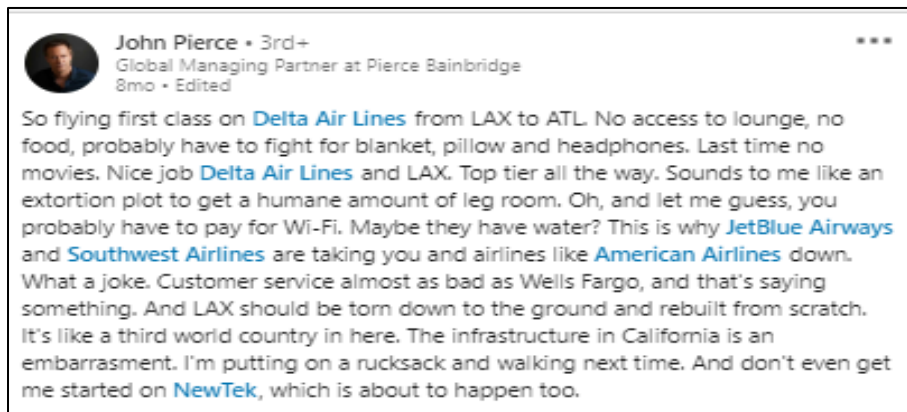
184. Lewis also contemporaneously discussed concerns with the bookkeeper and LaVigne after Pierce made the post below on LinkedIn on or around October 3, 2018. At that time, (i) Pierce had

- (a) placed a moratorium on creditor payments (9/28);
- (b) withdrawn \$25,000 from firm accounts rendering Beck unable to fulfill a \$20,000 payment commitment to the firm's travel agent (10/2);
- (c) the bookkeeper's compensation was not up to date;
- (d) creditors were harassing the bookkeeper and Lewis; and
- (e) there was a palpable concern payroll would be missed.

185. The concern about payroll was omnipresent; indeed, LaVigne, who had close relationship with Andrew “Andy” Lorin, advised Lewis and another partner several times that “Andy says he’s quitting the first time John misses payroll.” Pierce missed guaranteed partner distributions in December 2018, promised to make it up in January, and failed again.

186. Notwithstanding all of this, Pierce was still flying first class with Schaefer-Green and whining about the service (see LinkedIn post below).

187. Pierce is presenting a phony image to the world in a manner similar to the fraudulent inducement he has used during recruiting.



188. Pierce railing on Newtek (last sentence above) is illustrative of his lack of accountability that permits him to create malicious falsehoods while denying reality. According to Pierce himself, he was rejected for the \$1 million loan backed by his pseudo-celebrity client's \$6 million home because of a \$175,000 tax lien on his home. But in Pierce's world, it's not his fault, it's Newtek's.

189. Pierce was so desperate to close the Newtek loan he essentially asked Plaintiff if he knew any loan sharks.

190. Furthermore, a prominent New York attorney, who rejected the advances of Pierce Bainbridge subsequently sent an e-mail to Pierce which raised red flags.

Prominent NYC Lawyer to Pierce in August

Moreover, while I understand why you did what you did to make a splash in NY, you have an unsustainable business model at present because you really have no rain makers or quality lawyers. Moreover, if you are sending six lawyers to try a case in Boston, you have way too many lawyers. . . I worry for you because you have so much faith in yourself that you are likely to overpromise. Trying to do what you are doing – build a major NYC firm overnight is hugely risky because you need to attract real talent. The last person who tried it in NY was Mark Dreier. He ended up in jail.

191. **One of the Firm's partners is in a "dire" financial situation due to, among other**

things, alimony payments. The LAC claim this is “untrue” and “outrageous.” To the contrary, it’s very true. Pierce was using firm funds to pay both alimony and personal taxes. The existence of both issues is documented.

192. **Pierce’s Alimony.**

Alyze Pierce – John’s ex-wife – on late Alimony – August 2018

Good morning:
John owed my mom \$3k on August 1 and has not paid. He will also owe me \$9k ON AUGUST 15.
We really need the money when it is due. I know he is busy so I am hoping the two of you can handle this
Thank you
Alyze
Sent from my iPhone

Alyze Pierce – John’s ex-wife – on late Alimony – August 2018

Hi Don and Lauren:
John is late paying. He is supposed to pay me \$9000 on the last day of every month. He owes my mom \$3k on the first day of every month. It is now August 2. I am thrilled you are handing this. We need payment today.
Thank you
Alyze

193. **Pierce aggregated around \$1.5 Million in tax liens in the last two years.** Pierce frequently bloviated that he took no salary. The bookkeeper, however, said from January 2017 through October 2018, Pierce’s personal withdrawals from firm accounts were approaching \$1 million. In any event, the LAC’s claim is nonsense. Indicative of his overwhelmingly dishonesty, it should be noted the Pierce’s name appears on the signature block for the LAC.

John Mark Pierce Tax Liens – Public Records

(See Next Page)

1: CA Judgments and Liens Filings			3: CA Judgments and Liens Filings		
Name: PIERCE, JOHN M Get Report			Name: PIERCE, JOHN M Get Report		
SSN:			SSN:		
Address: 10811 WILLOWBRAE AVE CHATSWORTH, CA 91311-1498 LOS ANGELES COUNTY			Address: 10811 WILLOWBRAE AVE CHATSWORTH, CA 91311-1498 LOS ANGELES COUNTY		
Name: STATE OF CALIFORNIA			Name: INTERNAL REVENUE SERVICE		
Jurisdiction: CA			Jurisdiction: CA		
Amount: \$47,810			Amount: \$448,881		
Filing Date: 7/11/2018			Filing Date: 12/8/2017		
Number: 20180689246			Number: 20171426048		
Type: STATE TAX LIEN			Type: FEDERAL TAX LIEN		
Agency: LA COUNTY / RECORDER OF DEEDS			Agency: LA COUNTY / RECORDER OF DEEDS		
Agency State: CA			Agency State: CA		
Agency County: LOS ANGELES			Agency County: LOS ANGELES		
2: CA Judgments and Liens Filings			4: CA Judgments and Liens Filings		
Name: PIERCE, JOHN M Get Report			Name: PIERCE, JOHN M Get Report		
SSN:			SSN:		
Address: 10811 WILLOWBRAE AVE CHATSWORTH, CA 91311-1498 LOS ANGELES COUNTY			Address: 10811 WILLOWBRAE AVE CHATSWORTH, CA 91311-1498 LOS ANGELES COUNTY		
Name: INTERNAL REVENUE SERVICE			Name: INTERNAL REVENUE SERVICE		
Jurisdiction: CA			Jurisdiction: CA		
Amount: \$193,075			Amount: \$670,511		
Filing Date: 2/28/2018			Filing Date: 11/21/2017		
Number: 20180198776			Number: 20171340395		
Type: FEDERAL TAX LIEN			Type: FEDERAL TAX LIEN		
Agency: LA COUNTY / RECORDER OF DEEDS			Agency: LA COUNTY / RECORDER OF DEEDS		
Agency State: CA			Agency State: CA		
Agency County: LOS ANGELES			Agency County: LOS ANGELES		
			5: CA Judgments and Liens Filings		
Name: PIERCE, JOHN M Get Report			Name: PIERCE, JOHN M Get Report		
SSN:			SSN:		
Address: 10811 WILLOWBRAE AVE CHATSWORTH, CA 91311-1498 LOS ANGELES COUNTY			Address: 10811 WILLOWBRAE AVE CHATSWORTH, CA 91311-1498 LOS ANGELES COUNTY		
Name: STATE OF CALIFORNIA			Name: STATE OF CALIFORNIA		
Jurisdiction: CA			Jurisdiction: CA		
Amount: \$134,028			Amount: \$134,028		
Filing Date: 6/29/2017			Filing Date: 6/29/2017		
Number: 20170723138			Number: 20170723138		
Type: STATE TAX LIEN			Type: STATE TAX LIEN		
Agency: LA COUNTY / RECORDER OF DEEDS			Agency: LA COUNTY / RECORDER OF DEEDS		
Agency State: CA			Agency State: CA		
Agency County: LOS ANGELES			Agency County: LOS ANGELES		

194. As for Plaintiff's supposedly false allegation about a PB partner's financial problems, Defendant Pierce's financial distress is reflected in aggregate tax liens of around \$1.5 million accumulated in less than two years, \$21,000/month in alimony payments, and "brutal" credit as characterized by former UBS financial advisor Tom Cometa. The tax lien information is available through a simple public records search - John Mark Pierce, Chatsworth, California.

195. **“Certain of the Firm’s partners engaged in unethical conduct.”** (LAC ¶ 31(f)). The LAC claims this allegation is “untrue” and “outrageous.” The LAC’s position is false and disparaging. As demonstrated above, the New York Managing Partner, David Hecht, boasted his Rule 8.4 flouting on LinkedIn

196. According to Pierce, General Counsel Beck willfully deleted hundreds of Slacks related to a gender based threatened claim against Pierce by a former administrator, which would be considered unethical.

197. Illegally expelling Plaintiff from the partnership and making up False Accusations in an attempt to cover-up the financial malfeasance and other misconduct at the firm is also unethical.

198. In addition, Pierce providing substantial financial assistance to the client in the so-called Billion Dollar Case is unethical, including reportedly paying for all of the plaintiff-client's case related travel, the plaintiff-client's lodgings in Los Angeles, a \$25,000 a year for a no-show job, and providing the plaintiff-client's son a summer job paying \$2500 in Los Angeles, and Chang complained the individual did not do any work..

199. **“[Lewis] includes numerous confidential details about Plaintiff's litigation financing arrangements in his draft complaint. . . lists the names of the litigation funders.”** (LAC ¶ 34) This is a false and defamatory statement. The Complaint lists one litigation funder, not plural funders; that is yet another deliberate, inexplicable lie in a court submission by Edwards. As previously noted, the funder listed is Pravati Capital LLC. The relationship has been public since 2017.

200. In addition, a UCC filing in the name of PB partner Polisi was available on the New York State Government website before the Lewis Complaint was filed. It is dated March 9 and notes the \$9.1 million Pravati Default.

*Caroline Polisi UCC Filing as "Debtor" for
Pierce Bainbridge \$9.1 Million Default on Pravati Funding Agreement*

	729624	2019 Mar 08 PM04:23
UCC FINANCING STATEMENT AMENDMENT		
FOLLOW INSTRUCTIONS (front and back) CAREFULLY		
A. NAME & PHONE OF CONTACT AT FILER (optional) CSC 800-858-5294		
B. SEND ACKNOWLEDGMENT TO: (Name and Address) <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> CSC 801 Adial Stevenson Dr Springfield, IL 62703, USA NYfilings@cscinfo.com (Fax) 800-345-6059 </div>		
THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY		
1a. INITIAL FINANCING STATEMENT FILE # 201903085293576 Filedate: 08-MAR-19		1b. This FINANCING STATEMENT AMENDMENT is to be filed (for record) (or recorded) in the <input type="checkbox"/> REAL ESTATE RECORDS.
2. <input type="checkbox"/> TERMINATION: Effectiveness of the Financing Statement identified above is terminated with respect to security interest(s) of the Secured Party authorizing this Termination Statement.		
3. <input type="checkbox"/> CONTINUATION: Effectiveness of the Financing Statement identified above with respect to security interest(s) of the Secured Party authorizing this Continuation Statement is continued for the additional period provided by applicable law.		
4. <input type="checkbox"/> ASSIGNMENT (full or partial): Give name of assignee in item 7a or 7b and address of assignee in item 7c and also give name of assignor in item 9.		
5. AMENDMENT (PARTY INFORMATION): This Amendment affects <input type="checkbox"/> Debtor <input checked="" type="checkbox"/> Secured Party of record. Check only <u>one</u> of these two boxes. Also check <u>one</u> of the following three boxes and provide appropriate information in items 6 and/or 7.		
<input type="checkbox"/> CHANGE name and/or address: Give current record name in item 6a or 6b; also give new name (if name change) in item 7a or 7b and/or new address (if address change) in item 7c. <input type="checkbox"/> DELETE name: Give record name to be deleted in item 6a or 6b. <input type="checkbox"/> ADD name: Complete item 7a or 7b, and also item 7c, also complete items 7d-7g (if applicable)		
6. CURRENT RECORD INFORMATION:		
6a. ORGANIZATION'S NAME		
OR		
6b. INDIVIDUAL'S LAST NAME <u>Polisi</u>	FIRST NAME <u>Caroline</u>	MIDDLE NAME SUFFIX
7. CHANGED (NEW) OR ADDED INFORMATION:		
7a. ORGANIZATION'S NAME		
OR		
7b. INDIVIDUAL'S LAST NAME	FIRST NAME	MIDDLE NAME SUFFIX
7c. MAILING ADDRESS	CITY	STATE POSTAL CODE COUNTRY
7d. SEE INSTRUCTIONS	ADD'L INFO RE ORGANIZATION DEBTOR	7e. TYPE OF ORGANIZATION
7f. JURISDICTION OF ORGANIZATION		7g. ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE
8. AMENDMENT (COLLATERAL CHANGE): check only <u>one</u> box. Describe collateral <input type="checkbox"/> deleted or <input type="checkbox"/> added, or give entire <input checked="" type="checkbox"/> restated collateral description, or describe collateral <input type="checkbox"/> assigned. Debtor is now liable for the full balance due to Pravati in the amount of \$9,157,072.95, for defaulting on the funding agreement between Pierce Bainbridge Beck Price & Hecht LLP and Pravati Capital.		

201. Plaintiff is compelled to note that Polisi apparently personally took on a \$9.1 million obligation to help get Pierce out of his Pravati debt hole. However, Polisi was on full notice that the African-American Plaintiff had received no “due process,” was a public proponent for the critical importance of “due process” in claims of sexual misconduct, yet Polisi did nothing about Plaintiff’s illegal expulsion and nothing about Plaintiff being defamed on a massive national public scale. But the substance abusing, misogynistic, self-dealing Caucasian Pierce needs someone to be on the hook for \$9.1 million so he can lie about it and further defame Plaintiff: Polisi apparently says, sure, no problem.

Trump's take on Porter isn't just clueless - it's dangerous,
By Caroline Polisi, updated 8:06 AM ET, Wed February 14, 2018, CNN.Com



Caroline Polisi

President Trump is wrong. People's lives are not being "shattered and destroyed" by a "mere allegation" as he would have us believe.

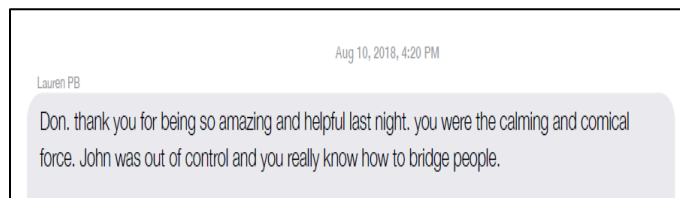
It is true, however, that we are at a cultural inflection point in which we are choosing to believe the victims more than ever. Yet as a criminal defense attorney, I see firsthand how due process occupies a prominent -- if not central -- place in our justice system every day. And I can attest to the fact that the accused's due process

rights are alive and well in our justice system. They are thriving, in fact.

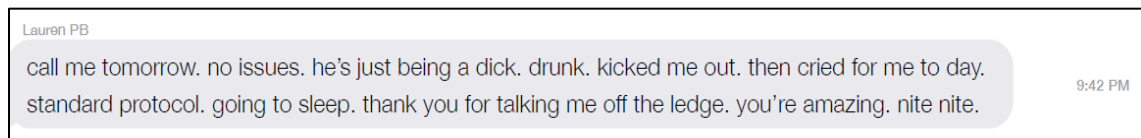
202. **Immediate “Corrosive Presence Falsehood.”** The LAC alleges Plaintiff “immediately” became a “corrosive presence.” To the contrary, Lewis was appointed both Assigning Partner and Co-Chair of Diversity Inclusion less than two weeks before he was banished.

203. Schaefer-Green, the *de facto* HR lead, also had commentary which illustrates the falsity of Edwards’s lie to the Los Angeles Superior Court:

Schaefer-Green to Lewis - August



Schaefer-Green to Lewis - August

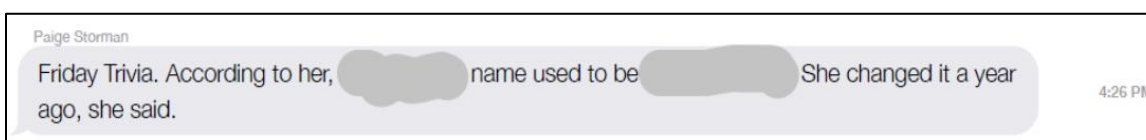


204. **Revealing False Accuser’s Two Names and Putting Her at Risk Falsehood.** (LAC ¶ 25). The LAC states “[Lewis] [r]evealing the Employee’s former name in a mass email exposed the Employee to a significant risk of physical and psychological harm.” This is nonsense.

205. *First*, the “mass e-mail” is deliberately misleading: the e-mail was to Plaintiff’s partners only.

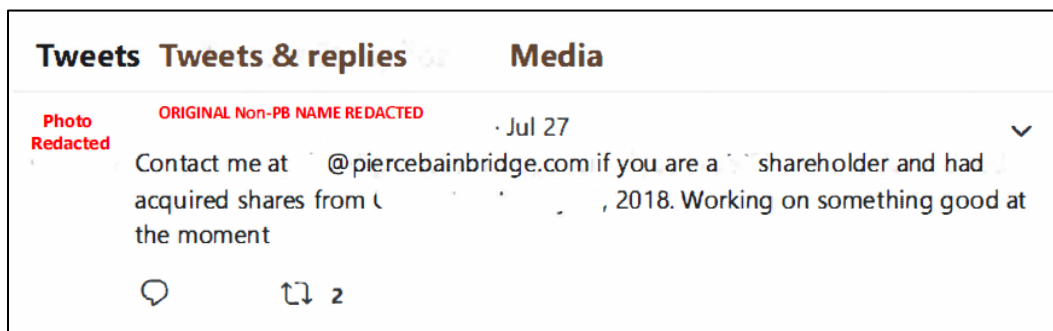
206. *Second*, the False Accuser’s two names were no secret, at least several partners and the firm’s bookkeeper already knew. The bookkeeper communicated the same in September, in an off the cuff comment unrelated to anything Plaintiff and the bookkeeper were discussing, with no mention of privacy issues; it was characterized as “trivia.”

Bainbridge Bookkeeper to Lewis – September 3, 2018

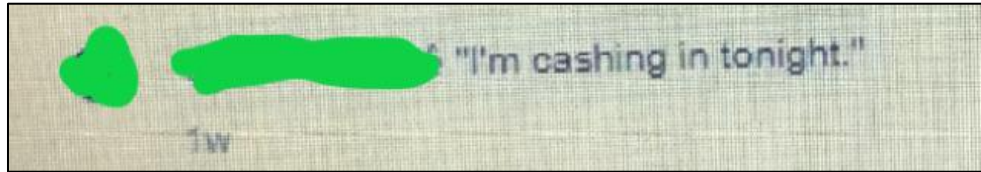


207. *Third*, the day Plaintiff was illegally expelled, he noted to his partners, in writing, that in addition to other issues, the False Accuser’s on-line history undermined her credibility. Notwithstanding PB’s preservation obligations, the referenced on-line materials disappeared a few days later.

208. *Fourth*, the deleted postings flatly contradict the false narrative that the two names were a secret. One posting was on Twitter, the other posting was on Couchsurfing.com; both had a photo of the false accuser; both had the two names conspicuously available. Here is the Twitter page that was still up as of November 12, but deleted shortly thereafter:



209. *Fifth*, an anime Facebook Page, in the same name the false accuser currently uses, had a comment on that page three days after Plaintiff was banished stating: “I am cashing in tonight.” This page also disappeared. (The page has been redacted for privacy.)



210. **Conversation with LaVigne After Hockey Game.** The LAC also grossly mischaracterizes a conversation between Lewis and LaVigne after a hockey game on April 24, 2019.¹⁴ The LAC claims that Lewis “threatened” LaVigne and “followed [LaVigne] down a street for approximately 45 minutes insisting the Partner speak to him.”

211. In actuality, Lewis and LaVigne walked together from Chelsea Piers to Westside Tavern and spoke for around 40 minutes. When they were done, they went into the bar and watched sports, laughed and hung out with teammate and the head bartender for about two hours. Both witnesses will attest that the allegation that Lewis “threatened” LaVigne is well beyond absurd.

212. Pierce Bainbridge has purported to rely on this conversation in making its false and malicious allegations of “extortion.” There are a few facts that have been omitted:

- a) Lavigne asked: “What will it take to make this go away, \$2 million?” Lewis guessed: “\$3.5 million.” Notably, if PB’s position is that this was somehow extortion, then this sounds like entrapment.
- b) LaVigne attempted to get an understanding of Lewis’s analysis of relevant fiduciary law as Lewis told him repeatedly it sounded like PB was getting bad information. That has been borne out.
- c) LaVigne said Edwards was not qualified or competent to handle the negotiations; Conley shared a similar sentiment.
- d) LaVigne noted that Pierce picked Edwards for obvious reasons. LaVigne said it was “really dumb.” Lewis agreed.
- e) LaVigne said the partners have “no idea what is going on” concerning Lewis’s

¹⁴ See LAC ¶¶ 38-45.

- potential claims, Pierce had “shielded them off” and they are “all afraid of him.”
- f) LaVigne said he “almost got fired” when PB received the draft Lewis Complaint.
 - g) LaVigne said in sum and substance: “Everyone thinks she’s lying. No one thinks you did this.”

213. **LaVigne and Lewis Had Not Played Hockey Together.** The LAC also falsely claims that the April 24, 2019 hockey game was the first game Lewis had played with LaVigne since Lewis’s illegal expulsion in November of 2018.¹⁵ To the contrary, Lewis and LaVigne played together about 15 times during that period.

214. On February 13, 2018, which falls between November 12, 2018 (illegal expulsion of Lewis) and April 24, 2019 (the PB fabricated first game Lewis played since he was expelled), Lewis and LaVigne won the Division 3 Championship at Chelsea Piers, and were in the center of the championship photo.



215. **“One of the Firm’s partners has an undisclosed criminal history.”**¹⁶ (LAC ¶ 31(c))

The Lewis Complaint makes no such allegation. It does, however, reference the Federal Trade Commission’s public complaint against Co-Managing Partner James D. Bainbridge for his role as the

¹⁵ See LAC ¶ 39.

¹⁶ See LAC ¶¶ 31(c).

“ringleader” in an \$80 million scheme against the consuming public.

216. Bainbridge’s wingman for this was Daniel A. Fingarette, who, according to Pierce and Schaefer-Green, is involved with the finances of the firm. Although on information and belief, at least two of the named partners of Pierce Bainbridge have criminal records, Plaintiff has not disclosed their names as the related charges are not germane to the Lewis Complaint or this Defamation Complaint.

217. At all relevant times, Yim, Conley and Beck were aware that Pierce Bainbridge had been conducting a prolonged and improper campaign to defame, harass, intimidate, and injure Plaintiff, and Conley and Beck were aware that Pierce would use the file-stamped copy withdrawn complaint (Conley) and bogus “credible” finding (Yim) in the immediate future to add a malicious and depraved “shock and awe” new chapter to the Pierce Bainbridge smear campaign.

218. Therefore, in rendering assistance to Pierce Bainbridge as aforesaid, Conley and Yim aided and abetted the Pierce Bainbridge smear campaign, and are equally liable, with Pierce Bainbridge, and any act by Pierce Bainbridge that made, or attempted to make, use of such actions and omissions by Conley and Yim concerning same, is an overt act in furtherance of said tortious conduct.

General Allegations Concerning Exemplary Damages

219. Plaintiff repeats and realleges the allegations of paragraphs contained in the paragraphs above with the same force and effect as if fully set forth herein.

220. The actions of Pierce, Edwards, Beck, Yim and Conley were outrageous and motivated by malice and they consciously and deliberately disregarded the rights of their partner Lewis.

221. Pierce, Edwards, Beck, Yim and Conley acted in willful and/or wanton and/or reckless disregard of the rights of their partner Lewis.

222. The actions of Pierce, Edwards, Beck, Yim and Conley amount to immoral conduct which manifested a conscious and deliberate disregard of the rights of their partner Lewis and should be punished.

FIRST CAUSE OF ACTION
DEFAMATION
AGAINST DEFENDANTS PIERCE BAINBRIDGE, PIERCE AND EDWARDS

223. Plaintiff repeats and re-alleges each and every allegation contained in the paragraphs above with the same force and effect as if fully set forth herein.

224. In making the statements as referenced throughout this Complaint, and particularly in the LAC and, thereafter, by Pierce on social media, Defendants purported to be making statements of fact.

225. Each of these statements by Defendants was false and constituted defamation *per se*. Defendants intended to cause members of the public, including members of Plaintiff's profession and his actual and potential clients, to believe that Plaintiff was incompetent, immoral, dishonest, abusive, dangerous and unfit to perform his profession.

226. The false and defamatory statements about Plaintiff tend to expose Plaintiff to public contempt, ridicule, aversion or disgrace, or induce an evil opinion of him in the minds of right-thinking persons. In the communities in which he works and performs, Plaintiff has been injured in his reputation and good-standing and has been held up to ridicule and contempt.

227. The false and defamatory statement have been repeatedly published to thousands of individuals, including Plaintiff's classmates and fellow alumni from Harvard Law School, many of whom are in Plaintiff's profession throughout the United States and even abroad.

228. The Pierce Bainbridge Defendants continued to pursue and publish defamatory statements about Plaintiff even after being served with process in this action and receiving an overwhelming amount of documented primary source evidence directly contradicting their defamatory statements.

229. The statements Defendants have made about Plaintiff were calculated to injure Plaintiff in his profession, trade or business by imputing to him traits that, if true, would render him unfit to publicly perform his profession, and they in fact caused such injuries.

SECOND CAUSE OF ACTION
AIDING AND ABETTING DEFAMATION
AGAINST DEFENDANTS BECK, YIM, PUTNEY TWOMBLY, CONLEY,
AND THE LITTLER FIRM

230. Plaintiff repeats and re-alleges each and every allegation contained in the paragraphs above with the same force and effect as if fully set forth herein.

231. In making the statements as referenced throughout this Complaint, Defendants purported to be making statements of fact.

232. Each of these statements by Defendants was false and constituted defamation *per se*. Defendant intended to cause members of the public, including members of Plaintiff's profession and his actual and potential clients, to believe that Plaintiff was incompetent, immoral, dishonest, abusive, dangerous and unfit to perform his profession.

233. The false and defamatory statements about Plaintiff tend to expose Plaintiff to public contempt, ridicule, aversion or disgrace, or induce an evil opinion of him in the minds of right-thinking persons. In the communities in which he works and performs, Plaintiff has been injured in his reputation and good-standing and has been held up to ridicule and contempt.

234. The false and defamatory statements have been repeatedly published to thousands of individuals, including Plaintiff's classmates and fellow alumni from Harvard Law School, many of whom are in Plaintiff's profession throughout the United States and even abroad.

235. The Pierce Bainbridge Defendants continued to pursue and publish defamatory statements about Plaintiff even after being served with process in this action and receiving an overwhelming amount of documented primary source evidence directly contradicting their defamatory statements.

236. Beck, Yim, Putney Twombly, Conley and Littler Firm have aided and abetted the Pierce Bainbridge Defendants in their tortious conduct that is the basis for Plaintiff's defamation claims.

237. Beck, Yim, Putney Twombly, Conley and the Littler Firm have provided substantial assistance and/or encouragement to the Pierce Bainbridge Defendants to enable them to publish the defamatory statements about Plaintiff.

238. Specifically, Beck:

- a. Failed to afford any due process to Lewis as required by State law and RPC's;
- b. Hired outside counsel Yim of Putney Twombly who was not competent to conduct a proper investigation of the alleged incidents;
- c. Instructed Yim to reach a pre-ordained conclusion of a "credible" finding of misconduct as a pretextual basis for the illegal expulsion of Plaintiff;
- d. Failed to provide exculpatory documents;
- e. Failed to consider exculpatory evidence;
- f. Engaged in spoliation by permitting deletion of critical on-line materials shortly after they were reported; then signed off on a complaint filed with the LAC court directly undermined by the deleted materials.
- g. Failed to respond to charges that key documents were altered and/or destroyed;
- h. Permitted the False Accuser to have access to view Pierce Bainbridge's e-mails during the investigation;
- i. Allowed the False Accuser to contact Lewis's former employer, in writing, to report that he was on administrative leave;
- j. Failed to provide the written documentation of the investigation; and
- k. Refused to provide the report of Yim's sham investigation on the basis that Pierce Bainbridge had no obligation to do so.

239. Beck's conduct which allowed, and concluded with, a sham "credible" finding allowed the Pierce Bainbridge Defendants to defame Plaintiff.

240. Specifically, Yim and Putney Twombly:

- a. Failed to conduct a proper investigation of the alleged incidents;
- b. Reached the pre-ordained conclusion of a "credible" finding of misconduct to create the pretextual basis for the illegal expulsion of Plaintiff;
- c. Failed to afford any due process to Lewis as required by State law and RPC's;
- d. Failed to interview Lewis;
- e. Failed to establish the timeline of events despite multiple requests;
- f. Failed to provide a summary of prior relevant incidents;
- g. Failed to provide exculpatory documents;
- h. Failed to consider exculpatory evidence;
- i. Failed to consider the adverse impact of the exculpatory evidence on the False Accuser's credibility;

- j. Engaged in spoliation by permitting deletion of critical on-line materials shortly after they were reported;
- k. Failed to respond to charges that key documents were altered and/or destroyed;
- l. Failed to respond to counsel's November 8, 2018 "Investigation Flaws" Letter;
- m. Permitted the False Accuser to have access to view Pierce Bainbridge's e-mails during the investigation;
- n. Allowed the False Accuser to contact Lewis's former employer, in writing, to report that he was on administrative leave;
- o. Repeatedly made threats of potential criminal charges by the False Accuser if Lewis did not resolve the matter to the firm's satisfaction;
- p. Failed to provide the written documentation of the investigation; and
- q. Refused to provide the report of his sham investigation on the basis that he was not obligated to do so.

241. Yim and Putney Twombly's failure to conduct a proper investigation and concluding with a sham "credible" finding allowed the Pierce Bainbridge Defendants to defame Plaintiff.

242. Specifically, Conley and the Littler Firm did not act in good faith during the settlement negotiations, used the negotiations as a tactic to buy time for the Pierce Bainbridge Defendants to draft the sham LAC, engaged in the Withdrawal Stunt to allow the Pierce Bainbridge Defendants to further defame Plaintiff by alleging in the LAC that the Lewis Complaint was equivalent to civil extortion, and then filed a frivolous motion based upon the wrong authority in order to further defame Plaintiff.

243. These actions were taken by Beck, Yim, Putney Twombly, Conley and the Littler Firm with knowledge of, and the intent to, further the Pierce Bainbridge Defendants' scheme to defame Plaintiff.

244. The statements Defendants have made about Plaintiff were calculated to injure Plaintiff in his profession, trade or business by imputing to him traits that, if true, would render him unfit to publicly perform his profession, and they in fact caused such injuries.

THIRD CAUSE OF ACTION

JUDICIARY LAW SECTION 487

AGAINST ALL DEFENDANTS

245. Plaintiff repeats and realleges the allegations of paragraphs contained in the paragraphs

above with the same force and effect as if fully set forth herein.

246. The Defendants violated Judiciary Law 487 by (i) fraudulently inducing Plaintiff to discontinue the Lewis Complaint on the false pretense that it would lead to continued non-judicial settlement efforts; (ii) using deceitful tactics in an effort to deprive the New York Supreme Court of an action properly filed in this jurisdiction to enforce the rights of one its residents; (iii) “racing to the courthouse” after engaging in said deceit to file the LAC purely as a public relations ploy which had the malicious objective of defaming Plaintiff; (iv) misrepresenting to the Superior of Court of California the circumstances surrounding the withdrawal of the original Lewis Complaint by claiming it was a “scheme to extort,” which is an outright lie – the Complaint was withdrawn at the request of the Pierce Bainbridge Defendants’ own counsel who then “thanked” Plaintiff’s counsel for doing so. Defendants acted with deceit within the meaning of Judiciary Law 487, so as to cause Plaintiff damages. The LAC is a sham lawsuit that consists of knowing falsehoods and demonstratable deceitful allegations.

247. The collective actions taken by Defendants as detailed herein constitute collusion.

248. The collective statements within the LAC as made by Defendants and their counsel as detailed herein constitute a deceit upon the Court.

249. By acting with deceit and with collusion as described above, Defendants violated Judiciary Law 487.

250. Based on the foregoing, Defendants are jointly and severally liable to Plaintiff for treble damages in an amount to be determined by the Court.

FOURTH CAUSE OF ACTION
INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS
AGAINST ALL DEFENDANTS

251. Plaintiff repeats and realleges the allegations of paragraphs contained in the paragraphs above with the same force and effect as if fully set forth herein.

252. Defendants' full-fledged assault on Plaintiff as set forth above is shocking, outrageous and exceeds all reasonable bounds of decency.

253. As noted, Defendants have continued to publish damaging and defamatory statements about Plaintiff after they were served with process in this action. The Pierce Bainbridge Defendants, to date, have even continued to pursue their sham complaint in Los Angeles.

254. In carrying out their attack on Plaintiff, Pierce and Edwards intended to – and did – cause Plaintiff severe emotional distress.

255. In all events, Pierce and Edwards's attack on Plaintiff was such that it was substantially certain that Pierce and Edwards's conduct and actions would cause Plaintiff severe emotional distress.

256. The circumstances of Pierce and Edwards's attack on Plaintiff were such that it was substantially certain that Pierce and Edwards's conduct and actions would cause severe emotional distress. Examples include, without limitation, Pierce frequently directing Partners at the firm to "assign the most vicious associate" to draft complaints, Pierce boasting that he is "the worst enemy on the planet to have," Pierce stating, "I am loyal until somebody fu**s with me," and PB partner Chris LaVigne questioning: "Do you really want to do this, you know John is crazy."

257. In fact, upon information and belief, Pierce and Edwards were aware that their attacks on Plaintiff were causing extreme emotional distress; and knew it had caused and, if not stopped would continue to cause, Plaintiff severe emotional distress; examples, include without limitation, PB partner Bradford stating to Plaintiff in mid-November: "I'm really concerned about you brother. You do not

look healthy. I am worried about your well-being;” and Conley opining repeatedly about “hurt feelings,” and that such “hurt feelings” were purportedly “clouding Plaintiff’s judgment.”

258. At all relevant times, Beck, Yim and Conley knew Pierce and Edwards were engaging in this conduct – there is no question the defamatory statements were published widely in all of the leading legal publications – knew the intended result was to cause Plaintiff severe emotional distress, and knew that it had caused and, if not stopped would continue to cause, Plaintiff severe emotional distress.

259. With that knowledge, Yim (responsible for creating the bogus credible finding) and Beck (standing by the bogus credible finding) and Conley (not withdrawing after the filing stunt and then filing a frivolous motion to dismiss replete with *ad hominem* defamatory attacks on Plaintiff), were substantially certain that their conduct and actions would cause Plaintiff severe emotional distress, and did not prevent or stop it, when they each had the means and the obligation to do so.

260. For example, Defendants, acting in their individual capacities, among other things:

- a. Yim was responsible for, and stood by, the “credible” finding which was never shared with Plaintiff, was entirely incredible and impossible to find in good faith;
- b. Beck stood by the “credible” finding which was never shared with Plaintiff, was entirely incredible and impossible to find in good faith.
- c. Conley was an active participant and played a critical role in the Withdrawal Stunt; and
- d. Conley defamed, denigrated and disparaged Plaintiff in her frivolous motion to dismiss.

261. By reason of the foregoing, Pierce, Edwards, Yim, Twombly, Conley, the Littler Firm and Beck have caused irreparable harm to Lewis’s personal and professional reputation and have placed his career as an attorney in grave jeopardy.

262. By reason of the foregoing, said Defendants have irreparably damaged Plaintiff’s career prospects. Whether or not it is possible for him to continue to pursue his chosen career in the law remains unclear at this time.

263. By reason of the foregoing, Plaintiff is entitled to compensatory damages and exemplary damages in amounts to be determined at the trial of this action, but not less than the aggregate amount of fifteen million dollars, exclusive of interest and costs.

FIFTH CAUSE OF ACTION

AIDING AND ABETTING INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS
AGAINST DEFENDANTS BECK, YIM, PUTNEY TWOMBLY, CONLEY AND THE LITTLER FIRM

264. Plaintiff repeats and realleges the allegations of paragraphs contained in the paragraphs above with the same force and effect as if fully set forth herein.

265. Defendants' full-fledged assault on Plaintiff as set forth above is shocking, outrageous and exceeds all reasonable bounds of decency.

266. As noted, Defendants have continued to publish damaging and defamatory statements about Plaintiff after they were served with process in this action. The Pierce Bainbridge defendants, to date, have even continued to pursue their sham complaint in Los Angeles.

267. In carrying out their attack on Plaintiff, Pierce and Edwards intended to – and did – cause Plaintiff severe emotional distress.

268. The circumstances of Pierce and Edwards's attack on Plaintiff were such that it was substantially certain that Pierce and Edwards's conduct and actions would cause severe emotional distress. Examples include, without limitation, Pierce frequently directing Partners at the firm to "assign the most vicious associate" to draft complaints, Pierce boasting that he is "the worst enemy on the planet to have," Pierce stating, "I am loyal until somebody fu**s with me," and PB partner Chris LaVigne questioning: "Do you really want to do this, you know John is crazy."

269. In fact, upon information and belief, Pierce and Edwards were aware that their attacks on Plaintiff were causing extreme emotional distress; and knew it had caused and, if not stopped would continue to cause, Plaintiff severe emotional distress; examples, include without limitation, PB partner

Bradford stating to Plaintiff in mid-November: “I’m really concerned about you brother. You do not look healthy. I am worried about your well-being,” and Conley opining repeatedly about “hurt feelings,” and that such “hurt feelings” were purportedly “clouding Plaintiff’s judgment.”

270. At all relevant times, Beck, Yim of Putney Twombly, Conley and the Littler Firm knew Pierce and Edwards were engaging in this tortious conduct – there is no question the defamatory statements were published widely in all of the leading legal publications – knew the intended result was to cause Plaintiff severe emotional distress, and knew that it had caused and, if not stopped would continue to cause, Plaintiff severe emotional distress.

271. With that knowledge, Yim (responsible for creating the bogus credible finding) and Beck (standing by the bogus credibility finding) and Conley (not withdrawing after the filing stunt and then filing a frivolous motion to dismiss replete with *ad hominem* defamatory attacks on Plaintiff), aided and abetted Pierce and Edwards in their attack on Plaintiff and did not prevent or stop it when they each had the means and the obligation to do so.

272. For example, Defendants, acting in their individual capacities, among other things:

- a. Yim was responsible for, and stood by, the “credible” finding which was never shared with Plaintiff, was entirely incredible and impossible to find in good faith;
- b. Beck stood by the “credible” finding which was never shared with Plaintiff, was entirely incredible and impossible to find in good faith.
- c. Conley was an active participant and played a critical role in the Withdrawal Stunt; and
- d. Conley defamed, denigrated and disparaged Plaintiff in her frivolous motion to dismiss.

273. Yim, Beck and Conley aided and abetted Pierce and Edwards in their tortious course of conduct that is the basis for Plaintiff’s claims of intentional infliction of emotional distress.

274. Yim, Beck and Conley’s actions gave substantial assistance or encouragement to Pierce and Edwards to allow them to engage in their tortious course of conduct.

275. These actions were taken with knowledge of, and to further, Pierce and Edwards’s tortious acts that form the basis for Plaintiff’s claims of intentional infliction of emotional distress.

276. By reason of the foregoing, Pierce, Edwards, Beck, Yim, Putney Twombly, Conley and the Littler Firm have caused irreparable harm to Lewis's personal and professional reputation and have placed his career as an attorney in grave jeopardy.

277. By reason of the foregoing, said Defendants have irreparably damaged Plaintiff's career prospects. Whether or not it is possible for him to continue to pursue his chosen career in the law remains unclear at this time.

278. By reason of the foregoing, Plaintiff is entitled to compensatory damages and exemplary damages in amounts to be determined at the trial of this action, but not less than the aggregate amount of fifteen million dollars, exclusive of interest and costs.

SIXTH CAUSE OF ACTION

PRIMA FACIE TORT AGAINST ALL DEFENDANTS

279. Plaintiff repeats and realleges the allegations of paragraphs contained in the paragraphs above with the same force and effect as if fully set forth herein.

280. Pierce and Edwards published the statements concerning Plaintiff, as aforesaid, intentionally and with the specific intent and desire to injure Plaintiff by engaging in fraud and deceit. Pierce and Edwards's course of conduct in doing so was motivated by spite and malevolence and has no legal justification.

281. Yim, Conley and Beck knew Pierce and Edwards were engaging in this unjustified and tortious course of conduct and aided and abetted Pierce and Edwards to assist and enable them.

282. Yim, Conley and Beck aided and abetted Pierce and Edwards in their tortious course of conduct that is the basis for Plaintiff's claims of *prima facie* tort.

283. Yim, Conley and Beck's actions gave substantial assistance or encouragement to Pierce and Edwards to allow them to engage in their tortious course of conduct

284. These actions were taken with knowledge of and to further Pierce and Edwards's tortious

acts that form the basis for Plaintiff's claims of *prima facie* tort.

285. By reason of the foregoing, Pierce, Edwards and Yim, Conley and Beck have caused irreparable harm to Plaintiff's personal and professional reputation and have placed his career as an attorney in grave jeopardy.

Reservation of Rights

286. Plaintiff expressly reserves the right to supplement or amend this First Amended Complaint, or both, as may be appropriate in light of further incidents of defamation or other acts that injure Plaintiff, including in his future career prospects, and knowledge of the identities of other individuals who may be liable to Plaintiff, that may occur after this First Amended Complaint is filed or be uncovered through discovery in this action or otherwise.

JURY DEMAND

Plaintiff hereby demands a jury trial.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff requests that this Court grant judgment in his favor and against the Defendants awarding him the following relief:

(i) On the First Cause of Action, compensatory damages in an amount to be determined at trial but in no event less than \$15,000,000.00; punitive damages in an amount to be determined at trial and sufficient to deter Defendants from engaging in further unlawful and malicious activity, but in no event less than \$30,000,000.00; pre- and post-judgment interest at the statutory rate;

(ii) On the Second Cause of Action, compensatory damages in an amount to be determined at trial but in no event less than \$15,000,000.00; punitive damages in an amount to be determined at trial and sufficient to deter Defendants from engaging in further unlawful and malicious activity, but in no event less than \$30,000,000.00; pre- and post-judgment interest at the statutory rate;

(iii) On the Third Cause of Action, treble damages in an amount to be determined at

trial; pre- and post-judgment interest at the statutory rate.

(iv) On the Fourth Cause of Action, compensatory damages in an amount to be determined at trial, but in no event less than \$15,000,000.00; punitive damages in an amount to be determined at trial and sufficient to deter Defendants from engaging in further unlawful and malicious activity, but in no event less than \$30,000,000.00; pre- and post-judgment interest at the statutory rate;

(v) On the Fifth Cause of Action, compensatory damages in an amount to be determined at trial but in no event less than \$15,000,000.00; punitive damages in an amount to be determined at trial and sufficient to deter Defendants from engaging in further unlawful and malicious activity, but in no event less than \$30,000,000.00; pre- and post-judgment interest at the statutory rate;

(vi) On the Sixth Cause of Action, compensatory damages in an amount to be determined at trial but in no event less than \$15,000,000.00; punitive damages in an amount to be determined at trial and sufficient to deter Defendants from engaging in further unlawful and malicious activity, but in no event less than \$30,000,000.00; pre- and post-judgment interest at the statutory rate;

(vii) Plaintiff's costs, including his reasonable attorneys' fees; and

(viii) Any such other and further relief as this Court deems just and reasonable.

Dated: July 26, 2019
New York, New York

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